

TRIBUTE TO AN OUTSTANDING AMERICAN: CHARLES T. MANATT

Mr. CRANSTON. Mr. President, on January 12 the California Democratic Party will host a dinner honoring Charles T. Manatt, chairman of the party for the past 2 years. I would like to share with my colleagues a few words about the unique contribution Chuck has made not only to the political life of California but to the Nation as well.

Chuck has worked long and hard—and I should add, effectively—to promote the interests of the Democratic Party and the two-party system as well. He organized a registration drive which added 2.2 million Democrats to the registration roles. He instituted several new and innovative programs to increase the level of citizen participation in our political process. His tremendous effort in California has been recognized in other States as well, as evidenced by his election as chairman of the Western States Democratic Conference in 1972.

Chuck has an extensive background in the political life of the Nation since he earned the post of national college chairman for the Young Democratic Clubs of America in 1959. He is a distinguished lawyer and a man deeply concerned with the welfare of his community. For these and many other reasons, he was named one of the five outstanding men of California for 1972 by the California Chamber of Commerce. Chuck is a good friend and I am pleased that I will be able to join with his many other friends and admirers to honor him Friday evening in Los Angeles.

PROPOSAL FOR A JUNIOR SUPREME COURT

Mr. BURDICK. Mr. President, late in December the Federal Judicial Center released a report by a select study group which recommended the creation of a "National Court of Appeals" to serve in an auxiliary fashion in the screening of "all petitions for review now filed in the Supreme Court" and in hearing and de-

ciding many cases of conflicts between the circuits. I am informed that all Members of the Senate have received a copy of this report.

This is a comprehensive report analyzing the nature and dimensions of the problems which arise from the burgeoning caseload of the Supreme Court. Recognizing the many reports which we receive, I would suggest that each of us take the time to read this one. The distinguished study group headed by Prof. Paul Freund should be complimented for the thoroughness of its efforts.

The Subcommittee on Improvements in Judicial Machinery, which I am privileged to chair, has been greatly interested in the growing caseload in our Federal courts, including the Supreme Court. The subcommittee plans to hold hearings during the 93d Congress on various proposals to assist the Supreme Court in meeting the demands created by a caseload which has risen from 1,460 cases to 4,515 in the past 25 years. However, based upon the early comments which have appeared in the press since release of this report, it is apparent that congressional consideration of the creation of a new appellate court would be greatly enhanced if hearings were delayed until the bench, bar, and legal scholars of this country have had the opportunity to study, analyze, and comment upon the report and the various alternative solutions which were considered by the study group.

FRANK FISHKIN, AN OUTSTANDING EXAMPLE OF PUBLIC SPIRIT

Mr. CRANSTON. Mr. President, on January 18 a testimonial dinner will be held in Los Angeles to honor Frank Fishkin for his community service and professional activity.

I have known Frank Fishkin for many, many years. He is a well-educated and extremely perceptive attorney. Both in private practice and in his work for the State of California and the Federal Government he has demonstrated insight, sincerity, and compassion.

Since his admission to the bar in 1945, he has played an active and major role in his professional organizations and pro bono work.

In public affairs, he has demonstrated similar public spirit, working to help the Community Chest, Red Cross, United Jewish Appeal, and Optimist Club. He is also well known for his contribution to the religious life of his community. He is a charter member and past president of the Burbank B'nai B'rith Lodge.

I think Frank Fishkin stands as a symbol for his neighbors in the San Fernando Valley of the kind of contributions we all should make for the betterment of our community, our brothers and our Nation.

PROGRAM

Mr. ROBERT C. BYRD. Mr. President, the program for Thursday next is as follows:

The Senate will convene at 12 o'clock meridian. After the recognition of the two leaders or their designees under the standing order, the following Senators will be recognized, each for not to exceed 15 minutes, and in the order stated:

Senators MOSS, ABOUREZK, and HARRY F. BYRD, JR.

At the conclusion of the remarks by the three aforementioned Senators, there will be a period for the transaction of routine morning business for not to exceed 30 minutes, with statements therein limited to 3 minutes.

ADJOURNMENT UNTIL THURSDAY, JANUARY 11, 1973

Mr. ROBERT C. BYRD. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until Thursday next at 12 o'clock meridian.

The motion was agreed to; and at 2:02 p.m. the Senate adjourned until Thursday, January 11, 1973, at 12 o'clock meridian.

EXTENSIONS OF REMARKS

THE FOSTER GRANDPARENT PROGRAM

HON. LEE METCALF

OF MONTANA

IN THE SENATE OF THE UNITED STATES
Tuesday, January 9, 1973

Mr. METCALF. Mr. President, I, like many of my distinguished colleagues in this body, wait eagerly yet with a sense of impending disappointment, for the President's budget message. My concern is the fate of programs designed to help people—the young, the elderly, the poor, the disabled, the hungry. Lest this administration or any Member of this body forget how significant in human terms

Government programs can be, I ask unanimous consent to insert in the RECORD at this point two letters to the editors of Montana newspapers concerning the Rocky Mountain Development Council's foster grandparent program. These letters provide eloquent testimony of the benefits of such programs. Not only does this program provide much needed financial assistance to our elderly poor, it provides large measures of love and feelings of usefulness to both the foster grandparents and the retarded children they help.

Surely this Nation must never allow this kind of truly "creative federalism" to slip from the top rank of national priorities.

There being no objection, the letters

to the editor were ordered to be printed in the RECORD, as follows:

SENIOR CITIZENS ARE GREAT PEOPLE

Editor, Helena Independent Record:

With my eyes I see love, and beauty and goodness. I see a crippled child finally able to walk. I see a deaf mute struggle to talk with her hands. Who will respond?

With my eyes I see movement in a child's deformed body where there was none before. Who will care? I see a little tot twist her drooling mouth to speak. But who will listen?

With my eyes I see the frustrations of a blind infant groping for sight—for light in the darkness. Who is that light?

With my eyes I see a lonely child with out-stretched arms seeking love and comfort—security in a lonely frightening place. Who will notice?

I see an old man shuffle to her. I see the

child comforted as never before. I see him dry her eyes and wipe her nose. I see the care he takes as he changes her. Picks her up and hugs her. I see love.

With my eyes I see a foster grandparent. With all of my emotions I see this and much more as I observe the daily routines of the foster grandparent at the Boulder River School and Hospital.

The courage to accept "those kind people." The courage to love them as you would your own. The willingness to dedicate your life to their happiness. The little things that you share—a smile, a hug, touch. This is the courage of the senior citizen.

We can belittle the senior. Laugh at them. Make fun of this "over the hill gang." But don't discredit them for the service they are doing for that group of people we chose to ignore, the mentally retarded.

They built our city, these seniors gave us life. Now they love the retarded. They all are deserving of recognition for their gratuitous service to these children, the Institution, the community and self.

The senior is love and beauty and goodness. It is for these reasons and many others you will never know without a foster grandparent that I thank them for their service.

HOLLY LUCK,

Assistant Director, Foster Grandparents Program.

LETTER TO THE EDITOR, GLENDIVE RANGER, SEPTEMBER 1972

Foster Grandparents: Good News!

Close your mouth and imagine not being able to talk. Think of being thirteen and imagine not having a friend. Shut your doors and pull the window shades, turn off your television and imagine your house as your only world.

The outlook of one who is developmentally retarded is almost impossible to imagine. Not only does this person find himself—very often—with a fully developed body and an underdeveloped system of thought, but also with a stigma that separates him from the community in which he lives.

During the past year there have been pioneers who have sought to break this barrier—to change the outlook of the retarded. When the Foster Grandparent Program was announced, it was GOOD NEWS for the retarded. When Eastmont Training Center announced its involvement in the program, it was more good news!

Forty retarded children and the entire Eastmont staff looked forward to the return of ten foster grandparents to Eastmont Training Center. These ten grandparents are truly the pioneer representation of the Glendive Senior Citizens.

What do they do? They help a boy or girl learn how to talk. They become a friend to a needing thirteen year old. They open the doors, let the light in the windows, and become a television, with a new wide world for a retarded person.

The value of the foster grandparent program cannot be over-emphasized. It has given the children an additional opportunity to enjoy life, to gain self-confidence, and develop mentally and physically.

Take some time, go visit a foster grandparent. Ask them about their job. Find out what retarded children can do. You will be surprised! And while you are there, thank a very wonderful person, a person who society has declared over the hill, for unselfishly preparing retarded children for a richer, more productive life.

List of foster grandparents: Mrs. Beulah Mitchell, Mrs. May Airick, Mrs. Augusta

Moore, Mrs. Lydia Holzworth, Mrs. Dora Granite, Mr. Milford Sampson, Mrs. Esther Konigg, Mr. Milford Sampson, Mrs. Mary Silverts, Mrs. Lena Howe, Mrs. Mabel Elpel, Mrs. Ethel Krogness, Mrs. Elizabeth Billman, Mrs. Mary Osmundson.

Sincerely,

JERRY R. HOOVER,
Eastmont Training Center.

ROBERT RAMSPECK

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Mr. TEAGUE of Texas. Mr. Speaker, the Federal Professional Association, in their newsletter of recent date chose to memorialize one of our former colleagues, the late Honorable Robert Ramspeck.

Mr. Ramspeck served with distinction in this body, the U.S. Congress from 1929 to his retirement in 1945. He served as the Democratic whip from 1942 to 1945. Subsequent to his retirement he served with greater distinction as Chairman of the U.S. Civil Service Commission from March of 1951 to December of 1952.

He was a most affable man whose doors in his congressional office were open to anyone. He guided many freshman Members, myself included, in matters pertaining to Federal service and other matters. Under leave to extend my remarks in the RECORD I wish to include the article referred to above:

ROBERT RAMSPECK, DEDICATION, PROFESSIONALISM, EFFECTIVENESS

(By Vincent Jay)

The passing of former Congressman Robert Ramspeck ends the FPA, a close and beneficial relationship that dates back to the early days of the Founding Committee meetings at Brookings Institution. It also ends a warm, personal relationship for the writer.

All who knew Bob could not help but be impressed by his dedication to the principle of a true, career merit system and all that that stands for in the Federal service. His long and productive years of service; in the Congress, as Chairman of the U.S. Civil Service Commission, and on many Presidential committees, commissions, and councils was notably marked by the demands he made on himself and his search for dedication in others. He inspired and brought out the very best in people. Every task with which he was ever involved benefitted from his participation. His ideal was an efficient, effective Federal service that would keep waste of all sorts to a bare minimum, and thus bring about reduced Federal expenditures.

He dreamed of a general manager of the Executive Branch, reporting directly to the President who would exercise control over the vast Federal establishment and hold managers at all levels accountable. He dreamed, also, of professionals, from the entire range of professional disciplines in the Federal service, uniting within the FPA for the achievement of greater efficiency in Government, for enhancing the value of the professional service to the Nation, and for im-

proving the professional environment in the Federal service in order that it might be a far more productive and satisfying experience for all Federal employees.

He recognized the role of Federal employee labor unions and demonstrated in many ways his support for many of their activities, but he was outspoken in his view of the urgent need of professionals to be represented by their own organization, and not by a labor union. Time and time again in speeches, the last one at FPA's reception for Members of the Congress in June, he urged FPA members to take some of their time daily to promote FPA membership among their professional colleagues. He believed sincerely in the person-to-person approach for increasing FPA membership and pleaded with us to spread the word and personally sign up new members.

Bob opened many doors for the FPA on Capitol Hill and among the departments and agencies. He assured that FPA would get respected attention, and inspired us to greater effort in developing our presentations of the issues and our recommendations for their resolution. The significant successes that FPA has had over the past ten years can be attributed in large measure to the counsel and presence of Bob Ramspeck at the witness table, in person or in spirit.

He will always be by my side in the development and presentation of positions or issues. I am a far better and more effective person because of my long exposure to his honesty, integrity, and dedication. FPA officers, past and present, share in the loss that we all feel, just as we all benefitted from having known and worked with him.

ACHIEVEMENTS

During the ten years plus that Bob was substantially involved in the affairs of the FPA, he served officially with distinction as Legislative Consultant. In so many other ways though, he was our general advisor. Specific FPA accomplishments that were substantially advanced by Bob's wise counsel, telephone calls, and personal letter writing included Congressional acceptance of the principle of pay comparability, enacted in the Federal Salary Act of 1967; the review and improvement of Civil Service Commission appeal procedures; the liberalization of Federal retirement laws, the expansion of higher education and training opportunities, in the form of advancement of the Federal Executive Institute concept; far more equitable per diem during periods of official travel; advancement of the man-in-the-job concept; and protection from invasion of privacy. Much still remains to be done in all of these areas, but a sound foundation has been established thanks to Bob's wise counsel and personal efforts.

It is my strong conviction that the FPA will grow and prosper as a living tribute to this great statesman who deeply loved the United States, who suffered acutely from the problems besetting this great Country, and who gave of himself unstintingly to improve it. He believed deeply that working together within the framework of the FPA, professionals could substantially contribute to the stability, prosperity, and strength of this Nation. As one of the largest, most knowledgeable, articulate and potentially influential groups in our country, Federal career professionals can make Bob's dream become a reality. I believe that increasing numbers of us will continue to work for this ideal and will make it come to pass for the welfare of the United States, for Bob, for our loved ones, and for those who follow us in the years ahead.

A PHILOSOPHER SPEAKS

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Ms. ABZUG. Mr. Speaker, Mr. Stanley Markson of New York, a supervisory social worker, has called to my attention a remarkable item which appeared in the New York Times on December 31, 1972. Appropriately, on the last day of the year, the item was an appeal to President Nixon, from Rabbi Morris S. Lazaron of Palm Beach, Fla.

So thoughtful is this letter from an 85-year-old philosopher, and so well does he express the thoughts of millions of Americans, that I at this point place the letter in the RECORD:

[From the New York Times, Dec. 31, 1972]

TO THE PRESIDENT OF THE UNITED STATES

PALM BEACH, FLA.,

December 12, 1972.

MR. PRESIDENT: With all due respect to your office will you read these words from an old man approaching 85? I have no axe to grind; no favor to ask. Life has been good to me. I wish to talk to you out of the experience of many years, to tell you what I have learned about human nature and what history has taught me. I wish to talk to you about your future and the future of our country. I speak to you out of the frustration which millions of your fellow citizens feel. I believe I voice the feeling not only of those who voted against you, but of many of those who voted for you. I beg you to read and consider.

No man elected to the awesome office of the presidency can be unmindful of what his place in history will be. Will he be remembered for good? Will his name be blessed by his contemporaries and by the generations that follow him? Surely these thoughts have entered your mind.

You have by your courageous contacts with China and Russia opened doors of communication which hold good, even great, possibilities for the future of the world. These are indeed historical events for which you are justly to be praised.

On the other hand, you are accused rightly or wrongly of many things: of catering to the rich and powerful, of ignoring the poor, especially the 20 million or more black citizens, of weakening the rights they have won after years of effort. You are accused of attempting to destroy the advances in social service legislation made these last years. You are accused of attempting to violate the constitutional provision that guarantees freedom of speech, press, and assembly. You are accused of threatening the privacy, the very basic liberties of the individual citizen and of using the power of the Federal government to spy upon millions of your fellow citizens. You are accused of packing the Supreme Court with some men who will, by their decisions undermine our democracy as conceived by the founding fathers. You are accused of lack of sympathy for the poor, the needy, and even the innocent children of our country by withholding monies appropriated by the Congress to help feed the hungry and the undernourished. You are said to be a man without compassion, interested primarily in the furtherance of your personal ambitions rather than the welfare of your country. You are held responsible for the death of over 20 thousand young Americans and unnumbered thousands wounded in a

war which it is asserted you could have stopped four years ago under the same conditions of your peace proposals today. It is feared that under the power imposed by Congress at your suggestion to limit national expenditure to 250 billion dollars annually, your prejudices and priorities may prompt you to deny monies from government agencies which should be supported, or even to withhold monies Congress appropriated for necessary work. You are charged with support of increasing defense appropriations which many authorities deem unnecessary for our national security. These are grave accusations.

You have been elected president by a 2 to 1 majority of the votes cast. But only 45 percent of the eligible voters voted. That means that over one-half of the people who could have voted, did not vote, and of the 45 percent who did vote, 28 million people voted against you. That is no small number. Therefore, you are a minority president.

This substantial number opposed you, some because they did not like what you were doing, many others because of your many unkept promises. How can you win the confidence and indeed—if you want it—the affection of the people? How can you obtain the place in history you surely must desire? Now you have four more years to prove your critics wrong!

(1) Even a reshuffling of the Cabinet, a few new faces in the administration and declaration of change, will not be enough to convince your fellow citizens that there will be a change. (2) For all the statistics of organizations and commissions controlled by you, housewives know that food costs more. (3) The reported decrease in unemployment may well be temporary due to an increase in the need during the holidays. (4) And despite the phenomenal rise in the stock market, there are very many knowledgeable people in that area who realize that underneath the surface optimism there are uncertainty and unspoken fears for the future. (5) Contrary to the implications that all people on welfare are lazy and looking for handouts to support them, I firmly believe, and most statistics show, that most people able to work will choose work rather than charity. They must be given incentive through education, training, and retraining. Pride is not an exclusive possession of the fortunate!

The people know what the issues are. No propaganda, however well financed, can hide the facts.

Those who voted for you deeply hope that in your second administration you will dissipate some of the hesitancy and mistrust which still, unfortunately, surround you and your associates. They wish you well. They look hopefully to you to bring back confidence in their executive, they wish to see a concern for the unfortunate, they long for the creation of a new spirit among our citizens.

How can you prove that your critics are wrong or have misunderstood you? How can you convince the millions of your fellow Americans that you are sincerely interested in their welfare? How can you win back the respect and love for our country, so much of which we have lost these latter years? How can you lift the nation from its apparent apathy?

Mr. President, may I now put before you some ideas, hopes, even prayers, that are shared by many of our fellow citizens? The issues before us are clear. They are not political. They are deeper even than the serious economic problems which face us, more far-reaching than the burning question of government's relation to business, finance, the great corporations, or the average citizen, important as these are. The issues are the preservation of the American tradition of free-

dom and the democratic organization of society. When you threaten the rights of the lowliest citizen, you lay the foundation for the destruction of the rights of the strongest. Just as no human organism is healthy, one of whose organs is diseased, so no nation can endure with large groups of discontented and those denied opportunity. No political, social, or economic order is in itself sacrosanct. It endures so long as it makes for human well being, happiness, and progress.

A force is rising out of the depths of our national life, rising in the sullen silence of millions—little people and great people—a force which will not be denied. That force is the power of the social conscience. It gathers impetus each day; it is a mystic power, not ourselves, which makes for righteousness and justice as the foundation of enduring human relations. We must move forward to meet it.

There are influences among us working to destroy this rising social conscience. Especially great is the temptation of the rich and powerful to defeat the just needs for social betterment, and a greater share in the blessings of our affluent society. But if our leaders play the harlot to the god of things as they are, we are doomed and we deserve to go the way of Rome and Carthage. We cannot, we may not, we dare not divorce government from the wrongs and the injustices of the day, from the poverty and misery of our times, from the fate of the unfortunate, the oppressed, and the disinherited. The only lasting peace for any people is the peace of righteousness. I come from an ancient people whose faith has proclaimed that integrity and truth, justice and righteousness, are the foundations of life and that man flouts them to his peril.

I believe a conviction is growing in our land. It is manifest not only among our youth, so often decided, it is manifest in many of the most important figures even in your own party. It is manifest in the millions who voted against you. It is manifest in the millions who did not vote at all.

This conviction reveals an increasing feeling that none of us can prosper at the expense of others. That human rights cannot be ruthlessly trampled upon. That no man, woman, or child can be permitted to suffer undernourishment, that our vast material wealth and our intellectual and physical energies must be devoted to the service of all. A tide is moving in the hearts of millions of Americans—it cannot be held back. It will rise to its crest and beat upon the shores of the lives of every one of us.

Mr. President, I do not believe that the problems which face you—and they are many, complex and terrifying—can be solved by techniques of organization or by the mechanics and power of government agencies. They are not only problems of wages, conditions of labor, housing, hours of employment, and the general welfare. The problems that face us are spiritual problems. We must feel a passionate resentment at the injustice and suffering visited upon huge groups of individuals. We must sincerely and vigorously face up to oppression, unrighteousness, and corruption among us. Wherever prejudice, hate and wrong lift their head, wherever there is a lack of sympathy or understanding, we must try to feel and to understand. Wherever there is no brotherhood, we must say, "my brother we are here."

Mr. President, we are waiting for spiritual leadership as well as administrative efficiency. We need and want a leadership that fearlessly declares that when the rights of property conflict with the rights of human beings, human rights come first, a leadership that not only proclaims these things, but acts upon them. We need a leadership that is brave enough to declare that the economic and industrial orders are not only for the

creation of profits. We need a leadership that acts upon that declaration. We long for a leadership that has courage enough to disturb the smug content of them who "sit at ease in Zion."

Will you give us this leadership? Will you renew the old spirit of our people, the old strength of heart that conquered a continent because it was compounded of moral courage, compassion, and faith. You have it in your power, Mr. President, to see to it that no basic human right shall be destroyed, to see to it that we shall continue to live in freedom, to think what we please, to write what we please, to say what we please, to do what we please so long as the greater social welfare is not menaced. You have it in your power to see to it that none shall be forced to take charity, to see to it that all who want work shall find it, and that one's labor shall bring adequate return.

Mr. President, I adjure you in the name of all that your forebears held sacred to bear these things in mind, to build these eternal values into the structure of our society so that your "Four More Years" may be years of which future generations may say—under him, America regained a new birth of freedom for all its citizens and under him the nations laid the foundations of an enduring peace.

Rabbi MORRIS S. LAZARON.

J. EVERETT MORROW—
MR. DEMOCRAT

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, January 6, 1973

Mr. JOHNSON of California. Mr. Speaker, a few days after the final adjournment of the 92d Congress I was privileged to join the people of Butte County in northern California in honoring one of our most active community workers on his 95th birthday.

J. Everett Morrow is an outstanding man. He has made many contributions to his community and to the State. He has served with distinction on numerous public boards and agencies. He has been an active leader in the continuing quest for good government at local, State and Federal levels. He has been an outstanding member of his church. Mr. Morrow is a Democrat I am proud to say and in fact in Butte County he is generally known as Mr. Democrat. The observance of his 95th birthday while it was sponsored by the Democrats of the community went far beyond a partisan recognition. In fact the city of Chico in which he lives designated his birthday as "James Everett Morrow Day" and people from all walks of life and all political affiliations joined in paying their respects to this outstanding citizen.

I consider it a privilege and a pleasure to share with my colleagues the thoughts which were expressed by the community's hometown paper—the Chico Enterprise Record—in an editorial published on the day before his birthday and I ask unanimous consent to insert this editorial in the RECORD at this point:

HAPPY BIRTHDAY TO MR. DEMOCRAT

No Northern California election year would be complete without the celebration of "James Everett Morrow Day" in honor of Butte County's "Mr. Democrat."

The affair has become a biennial highlight not only for persons interested in politics but for citizens of all walks of life who have come to know and respect Mr. Morrow for his contributions in education, the church, agriculture and general service of his fellow man.

Happily, the "James Everett Morrow Day" tradition will be maintained here tomorrow when Mid-Valley Democrats will be joined by friends and admirers of other political affiliations in helping Mr. Morrow celebrate his 95th birthday.

As set forth in a special "James Everett Morrow Day" proclamation issued by Chico Mayor Eric Bathen, the birthday affair will be held in the Democratic campaign headquarters at Second and Main Streets from 2 to 4 p.m. It will be open to everybody and the cake and other refreshments will be free.

Over the years, Mr. Morrow has been joined in celebrating his birthday by high-ranking public officials and dignitaries ranging from former Gov. Pat Brown through Rep. Harold T. "Blizz" Johnson, Sen. Alan Cranston and San Francisco Mayor Joseph Alioto. He has received special personal greetings from Presidents, former Presidents and leaders of both houses of Congress. And at his 90th birthday party in 1967, one of the surprise features was the following telegram:

"It is with a great deal of pleasure that I congratulate you on the occasion of your 90th birthday. Your early service as a school teacher, your many years of leadership in the U.S. Plant Introduction Field and your long lifetime of work on behalf of the party of your choice mark you as a man of whom America and California can be proud. I wish you many more years of good health and endeavor in the cause of good citizenship. Sincerely, Ronald Reagan, Governor of California."

In this week's proclamation, Mayor Bathen said, "An outstanding trait Mr. Morrow has always displayed is the fact that while he respects the past, he always looks forward to the future and how he may continue to play a role in shaping future events."

Under such circumstances, we at The Enterprise-Record say again as we have in the past: It is a real pleasure to wish a "Happy 95th Birthday" to Butte County's "Mr. Democrat" and we look forward to his participation in many future campaigns.

THE GREATEST THREAT TO PEACE NEGOTIATIONS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Saturday, January 6, 1973

Mr. RARICK. Mr. Speaker, thinking Americans should realize that the goal of the United States both in the Vietnam war and at the Paris peace talks is and has been the preservation of South Vietnam as an independent nation separate and distinct from the North Vietnam Communist Government.

Critics of the President's decision to resume bombing of North Vietnam fail to realize that this is the only means by which the United States can induce the Communists to remain at the peace talks

to negotiate and work out a settlement guaranteeing a separate and distinct South Vietnamese nation. Simply stopping the bombing will not bring peace. Experience should have taught us a bitter lesson about bombing halts: The Communists either withdraw or drag their feet at the peace talks while using the bombing halt to reconsolidate the North Vietnamese military efforts, thus bringing increased pressure on the South Vietnamese Government.

The Communists realize that their one goal—the subjugation of the Vietnamese people under Communist domination—can be accomplished in either of two ways: At the conference table in Paris, or simply by refusing to negotiate and waiting until their friends in America have forced public opinion to call for immediate and unilateral withdrawal by the United States. Why should the Communists negotiate peace when they are being told by their American friends that they can get what they want and on their terms by simply refusing to negotiate and waiting on the opinion makers in America to force unilateral withdrawal by the United States.

Everyone wants peace, but we cannot allow good intentions to mislead us. The fate of both the U.S. prisoners of war and the South Vietnamese people is dependent on our maintaining a constant position—peace in Vietnam and U.S. withdrawal can be accomplished if and only if our prisoners of war and missing in action are returned and accounted for and the Communists recognize the integrity of the South Vietnamese Government as distinct from that of the Communist-dominated North Vietnam.

Those Americans of the silent majority would do well to ask, "which action is more detrimental to the cause of peace in Southeast Asia: the resumption of the bombing of North Vietnam by the President, or the activities of misguided and exploited Americans who would mobilize their own countrymen against the President's plan to bring America peace with honor?"

COLUMNIST SAYS ONLY THE PRESIDENT CAN END THE WAR—WORLD OPINION FAVORS ENDING WAR NOW

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Saturday, January 6, 1973

Mr. EVINS of Tennessee. Mr. Speaker, columnist Mary McGrory of the Washington Star-News concluded in a recent article that in the final analysis the President "is the only man in Washington, or anywhere else, who can stop the war."

In her view world opinion is overwhelmingly opposed to the continuation of the unfortunate conflict in Vietnam.

Because of the interest of my colleagues and the American people in this

most important matter, I place the column by Miss McGrory in the RECORD herewith.

The article follows:

WAR STILL HAUNTS CONGRESS

(By Mary McGrory)

If it's up to Congress to end the war, it could go on for another hundred years.

Once again, Congress is being importuned, prayed to, marched at and lobbied to do something. Congress has the power, but not the stomach.

During the last four years, as one bloody "decisive" step after another has been taken "to shorten the war," Congress, under pressure from the country, has been at the point of gathering up its courage and voting to cut off the money. In the end, it takes the "easy popular course" of supporting the President which always means continuing the war.

The Democrats, who might be expected to lead the way to push the war over the cliff, have been cowed by the mandate. Sen. Edward M. Kennedy, a foremost critic, in a miracle of bad timing said he wanted to do business with the President four days before Henry Kissinger announced that peace had died a-borning.

In the second week of the worst bombing in history, Sen. Hubert H. Humphrey chirped a plea for Inauguration unity over the television.

"The genius of the American political system," he said, "is that all Americans unite following national elections." This was at a moment when the country was walking the floor over the horrors being committed in its name by a President who did not trouble to explain.

Majority Leader Mike Mansfield of Montana is the chronic nice guy on Capitol Hill. A foe of Vietnam, he nonetheless is prone, when matters come to a boil, to puff on his pipe and allow that the President is doing his best.

The House is worse. Speaker Carl Albert is merely the first among many in whose anxious breasts the dilemma of supporting the President while opposing the war has never been resolved.

As America's good name was being blasted away under the impact of 10 million pounds of bombs a day, Albert cautioned the House not to be hasty about anti-war legislation. He asked to hear the administration's case for the holocaust.

In the December bombings, the President once again brought the question back to ground zero. Congress is easily diverted into a discussion of ending the bombing rather than the war. Simple souls on Capitol Hill may hail the latest cessation as a victory for peace, and if the talks in Paris break down again, the B52s can take to the skies again.

The White House did not "tabulate" its mail on the bombing, which means it was bad. Good tallies are always volunteered. Republican senators are bearing the burden of the country's revulsion. They are being deluged with mail from Republicans who say "I voted for Richard Nixon—but not for this." This being bombs away around the clock over downtown Hanoi.

Two Republican senators spoke out last week against the bombing. Ohio Sen. William O. Saxbe's observation that the President "appears to have lost his senses" did not jar the White House. He is regarded as erratic, and not difficult to coax back into the fold.

Sen. Edward W. Brooke of Massachusetts, who demanded an explanation and an end, is another story. He is the only dissenter who is welcome and indulged at the White House. He comes from the most dovish and the only anti-Nixon state in the Union, and much is

forgiven him. The President regards him as the shrewdest politician in the Senate, and his access is so constant that other excluded moderate Republicans send messages to the Oval Room through him.

Since his senior colleague, Kennedy, tripped over the olive branch, Brooke could become the leader of the antiwar forces in the Senate. While it seems unlikely that he could rally those timid souls to stand firm on a cutoff, he could deeply embarrass Richard Nixon—and at the same time enhance his own national ambitions.

But Richard Nixon is the only man in Washington, or anywhere else, who can stop the war, and he has made it a matter of principle never to yield to Congress.

So the only hope that many Americans are clutching as the New Year dawns over the rubble and the despair is that he will bow to world opinion, take to heart the disapproval of his new friends in Russia and China and finally, and too late for honor, let go.

ITALIAN AMERICAN WAR VETERANS

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Mr. ANNUNZIO. Mr. Speaker, last week I introduced in the Congress a bill to provide for printing as a House document certain proceedings of the Italian American War Veterans of the United States, Inc., and I am delighted to have my distinguished colleagues, Hon. CHARLES J. CARNEY of Ohio and Hon. JOHN H. DENT of Pennsylvania, join me as co-sponsors of this legislation.

It is an honor for an individual's activities or the proceedings of one's organization to be recorded among the official documents associated with the House of Representatives. It is an honor we have accorded to veterans organizations since 1931. We have done this as one of the symbols of high esteem a grateful nation bestows upon its veterans. To be included among official Government papers is to be accorded a certain symbolic immortality.

It is certainly appropriate for the Congress to extend this recognition, which is now enjoyed by other veterans organizations, to the Italian American War Veterans of the United States whose members have done their share to uphold and preserve the freedom and security of our beloved country. It is only fitting that they and their activities should survive as long as the Republic itself. It is fitting that we remember their sacrifices for the perpetuation of national ideals.

This outstanding veterans organization is a nonprofit and nonpolitical group made up wholly and without exception of honorably discharged American war veterans. They are devoted citizens who have demonstrated splendid patriotism and dedication to the cause of freedom.

During the 92d Congress, I introduced a similar bill which passed the House of

Representatives, but the Congress adjourned before the other body had the opportunity to take final action. I do hope that during the 93d Congress, expeditious action will be taken by both the House and Senate in order to afford this long overdue recognition to the Italian American War Veterans.

LEGISLATION TO HELP SMALL BUSINESS

HON. TOM RAILSBACK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Mr. RAILSBACK. Mr. Speaker, the need for financial help for small business has existed for many years, but it has grown particularly acute in the last few years. The number of business failures is very high. Small businesses experience extreme difficulty in retaining adequate earnings for their business needs. External sources of funds are not always available to small business; and, when they are, the sources of funds are either costly or unsatisfactory in terms.

Since small business plays a crucial role in our society, I am convinced we should do everything in our power to sustain a vigorous and healthful environment for small business. Therefore, I am today reintroducing a small business tax simplification and reform measure which was originally sponsored by Congressman JOE EVINS, chairman of the House Select Committee on Small Business, and Senator ALAN BIBLE, chairman of the Senate Select Committee on Small Business.

This legislation evolved over a number of years after intensive consultation with small business organizations and many tax and economic experts within and outside of the Government. It is a bipartisan, comprehensive bill which provides relief to small businesses not only at one point of their development, but during their entire economic life cycle.

In order to facilitate the early financing of small business concerns, investors are assured liberal tax treatment of any losses that are incurred on the stock. Further encouragement to the original investors is provided by granting small business corporations a Federal income tax exemption on taxable income up to \$1 million during each of the first 5 years of operation.

The 5-year exemption will assist the newly created small businesses to compete more successfully against established firms. This will help them meet stiff competition from larger establishments which have been able, over the years, to build up adequate reserves to finance their business needs.

The legislation recognizes that even when a small business becomes established, its financial troubles are far from over. A serious problem in operating a

small business is the inability to obtain external funds, particularly through borrowing. As the Small Business Administration stated in its 1971 annual economic review:

Historically, small businesses are among those that find credit availability severely restricted and obtainable only at comparatively high costs and under other terms that are not the most desirable.

In addition to the tax exemption feature contained in the bill, it also has provisions designed to aid small business in retaining additional funds which will be available for growth. One such provision is the proposed corporate tax rate reduction for corporations with small and modest levels of taxable income. Under this provision, the current rate structure which consists of a 22-percent rate on the first \$25,000 would be replaced by a graduated rate schedule ranging from 20 to 50 percent.

Besides providing necessary tax relief to small business and other provisions designed to assure the preservation of small business, this legislation is also written to simplify the tax laws pertaining to small business.

Small business is excessively burdened by the complexity of the tax laws and the forms it must fill out to comply with these laws and other legal requirements of operating a business. Even though a business manager is highly competent in operating his business, he is beset with so much redtape that it diverts a considerable part of his valuable time away from company work. This is usually costly to him, and, in some instances, leads to the destruction of the business. The small businessman cannot afford to hire an expert accountant or other professional individual to fulfill all his commitments to the Federal, State, and local governments. He must fill out numerous forms relating to withholding of Federal and State income and employment taxes from his employees, excise taxes collected from consumers, licensing, census studies, and an endless list of other government forms.

The deep concern over the ever-increasing amount of paperwork required by the Federal, State, and local governments prompted the Senate Select Committee on Small Business to conduct a study on Government reports and statistics. At the end of October 1968 their findings were published. The report acknowledged that the small business community is justly concerned about the proliferation of reports and paperwork they are required to furnish. Most of the complaints involved tax returns, census reports, and wage and earnings reports.

Last year I inserted in the CONGRESSIONAL RECORD a letter from a good friend of mine, Jim Rosborough, president of the Moline Tool Co. in Illinois. Jim wrote:

We would certainly appreciate some relief from this fast-growing burden of Government redtape. Much of it, we feel, is unnecessary, burdensome, and of no benefit to anyone except those who prepare the forms and compile endless statistics therefrom.

Since that time, I have received similar letters from businessmen who hope something can be done in the way of simplifying tax forms and in decreasing the tremendous number of Government forms they are required to fill out.

Mr. Speaker, the Small Business Tax Simplification and Reform Act will help simplify the tax laws pertaining to small business, and, hopefully, relieve small business of some of their problems.

The current provisions of the Internal Revenue Code that pertain to small business are scattered throughout the Code. The bill requires that these sections be consolidated into one chapter or other appropriate subdivision. This would greatly simplify the identification of these provisions which apply to small business.

An Office of Small Business Tax Analysis would be established in the Office of the Secretary of the Treasury, with the objective to make a continuing study of the effect of Federal, State, and local taxes on small business, and the problems caused to small business in complying with the reports and procedural requirements of the various governments.

In addition, a Committee on Tax Simplification for Small Business would be established. The committee, which would consist of officers from the Treasury Department, Office of Management and Budget, Small Business Administration, and the Internal Revenue Code toward simplifying the Code as it pertains to small business.

I am convinced the Small Business Tax Simplification and Reform Act demands immediate attention. Small business deserves tax relief and simplification now.

RETURN PRAYERS TO OUR PUBLIC SCHOOLS

HON. L. A. (SKIP) BAFALIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Mr. BAFALIS. Mr. Speaker, as one of my first acts in Congress, I have introduced a constitutional amendment, House Joint Resolution 128, which will reinstate prayers in our public schools.

There is little need for me to elaborate on why such legislation should be approved. Since the decision of the Supreme Court in the Engle case, which for all intents and purposes has prohibited praying as a daily part of the school routine, I have been deeply concerned over the limitations placed on our religious freedoms.

America was founded by God-fearing men and women, and we must adhere to our moral principles if we are to survive. This is not and never has been a Godless Nation. Morality and religion are a vital part of our national heritage and I strongly believe that if these are to continue being a part of our heritage, it is

imperative that we restore the right to voluntary prayer in our public schools.

Fortunately, I am not alone in my position on this issue. Surveys conducted nationwide by George Gallup have shown that over 70 percent of our citizens want to see this basic right restored. In March of last year, the people of my home State of Florida registered their support of a constitutional amendment such as mine by a 4-to-1 margin. Obviously, these people are calling for a return to the rights they thought were guaranteed them in the Constitution and it is up to us as their duly elected representatives to see that this change is made.

The 92d Congress came very close to approving a measure similar to House Joint Resolution 128. By a vote of 240 yeas to 162 nays, the House fell only 28 short of the two-thirds vote necessary to approve a constitutional amendment. Hopefully, the 93d Congress will be the one to approve this greatly needed revision.

COST OF LIVING BOOST FOR FEDERAL WORKERS

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Mr. ROSENTHAL. Mr. Speaker, I rise today in behalf of more than 1.6 million civil servants who live and work in the major metropolitan areas of our country. I am introducing legislation to provide for the establishment of a special cost-of-living pay schedule containing increased pay rates for these Federal employees in areas of a half million or more population to offset the extraordinary cost of urban living.

Private industry and some State governments already pay higher salaries and wages to employees in large cities than they do for the same kind of work in other areas where living costs are not as high.

Evidence of the necessity for this legislation can be found in recent job actions by Federal employees seeking higher pay, most notably postal workers, who are no longer covered by the civil service pay schedules as a result of the Postal Reorganization Act. Such actions were centered in the big cities and high cost-of-living areas.

Elsewhere, workers seem more satisfied with Federal pay scales. In fact, in many rural and suburban areas, Federal salaries are actually higher than State and local government and private industry pay for similar work.

Every major national employer has resolved this issue—everyone that is except the Federal Government, which is the Nation's largest employer. Nearly 78 percent of Uncle Sam's 2.1 million employees live in metropolitan areas of a half million or more population.

There are some signs, however, that the Federal Government is aware of the

problem. Per diem rates for servants are larger when they visit certain large cities, in recognition of the higher costs there. The school lunch program is another example. Eligibility standards permit higher income levels in urban industrial centers than in rural nonindustrialized areas.

It is the job of this committee and this Congress to extend that recognition to where it counts, the worker's pay envelope.

When an employee in private industry transfers to New York City from another part of the country, he will receive an automatic 10- to 20-percent increase in pay, even though he continues to do the same kind of work. A typist, file clerk, laborer, or white collar employee of a large national corporation in New York City receives a higher salary or wage than his counterpart in the same company in other areas of the country.

Even the State of New York pays employees who work in New York City a higher salary than those State workers with comparable jobs in other parts of the State where the cost of living is not so great. Municipal salaries of city employees in New York rank among the highest in the country, mostly in recognition of the higher cost of living in New York City.

We are the Nation with the highest standard of living in the world, and yet the Federal Government pays many of its employees in the New York City area salaries which are less than they could receive if they collected welfare.

Under current Federal pay scales, a GS-1 appointee starts at \$4,798; a GS-2 appointment pays \$5,432; a GS-3 salary is \$6,128. In comparison, a family of four on welfare in New York City receives the equivalent of \$4,840.

Those higher grade Federal classified employees who do receive more in salary than they would on welfare still, in most cases, receive less than the income requirements for a family of four to maintain a modest standard of living.

Studies by the Labor Department's Bureau of Labor Statistics show the typical family of four needs \$6,694 to maintain a lower budget level in a small city, but about \$1,000 more for the same standard of living in New York City, Washington,

D.C., San Francisco, Chicago, Los Angeles, Boston, Honolulu, or Seattle.

The starting salary for a GS-1 appointment, which is a clerical job, is \$4,798—nearly \$2,000 below BLS's lower budget level for smaller cities, and almost \$3,000 below the level for large metropolitan areas.

In fact, even a GS-5, who must have 4 years of college or equivalent experience, would not reach the minimum budget for most large cities. His starting pay is \$7,695. That, however, is above the small city requirement.

This same relative disadvantage for big city workers holds true across the board.

Let us look at the mid-level civil servant, the GS-9. To get this far, he needs a master's degree, a law degree or comparable experience. Starting pay is \$11,614. That is just above the intermediate budget level for the average large city and even further below what is needed in New York, Washington, D.C., Seattle, Houston, Boston, Chicago, Philadelphia, and San Francisco. But it is more than \$1,800 over and above the small city requirement.

To maintain a higher budget level, the family of four would need \$13,657 in a city of 50,000 or fewer, but in some major metropolitan areas that need exceeds \$19,000. However, a senior level civil servant, GS-13, starts at \$19,700. As you can see, that is more than enough to live very comfortably in a small city, and just what is required in the large metropolitan areas.

These figures and the charts I am inserting following these remarks clearly show the disadvantage our current civil service pay system puts on the million or so Government employees who live and work in the Nation's largest cities.

As we have seen, public assistance in some places pays more than public employment.

Increased salaries through regional differentials would not only be more equitable to Federal employees, but would be of great benefit to the Government as well. If the Federal Government paid its classified workers salaries which are competitive with private industry in that locale, it would be able to recruit and retain more qualified and better trained

employees instead of losing them to private industry. Government service should not be viewed as a training ground for more lucrative jobs in the private sector; it should be considered as a career occupation.

Under my legislation, the Civil Service Commission would establish a special cost-of-living pay schedule for employees and positions located in metropolitan areas with a population of 500,000 or more. Three out of every four Federal employees would be affected.

Mr. Speaker, this bill has been endorsed by the American Federation of Government Employees, one of the major unions representing Federal workers; by the AFL-CIO through its New York City Labor Council; and by the National Federation of Federal Employees.

The figures and charts referred to follow:

FAMILY OF 4 BUDGET REQUIREMENTS¹

	Lower	Intermediate	Higher
All U.S. cities.....	\$7,214	\$10,971	\$15,905
Cities 2,500 to 50,000.....	6,694	9,805	13,657
Cities 50,000 and up.....	7,330	11,232	16,408
	GS-1 ²	GS-9 ³	GS-13 ⁴
Starting Federal pay.....	\$4,798	\$11,614	\$19,700

¹ Source: Bureau of Labor Statistics.

² GS-1 is starting pay for clerical workers with no experience.

³ GS-9 is a middle-level managerial position that requires a master's degree or equivalent experience.

⁴ GS-13 is a senior level Government worker.

NEW YORK CITY

(Metropolitan area population, 11,529,000; Federal workers, 128,682)

	Lower	Intermediate	Higher
Family of 4 budget level.....	\$7,578	\$12,585	\$19,238
	GS-1	GS-9	GS-13
Starting Federal pay.....	\$4,798	\$11,614	\$19,700
Welfare, family of 4.....	\$4,840		

¹ Source: Mayor's office. This figure represents the cash equivalent of the annual welfare payment. Public assistance, \$3,840; food stamps, \$360; medicaid, \$540; and clinic visits, \$100.

12 MAJOR CONCENTRATIONS OF FEDERAL WORKERS

Metropolitan area	Federal workers	Population	Consumer Price Index ¹	Family of 4 budget ²		
				Lower	Intermediate	Higher
Washington, D.C.....	295,385	2,861,000	² 124.7	7,500	11,252	16,345
New York City.....	122,934	11,529,000	130.3	7,578	12,585	19,238
San Francisco.....	74,300	3,110,000	³ 122.9	7,971	11,683	16,906
Philadelphia.....	80,921	4,818,000	126.0	7,406	11,404	16,583
Chicago.....	72,998	6,979,000	123.3	7,536	11,460	16,487
Los Angeles.....	69,337	7,032,000	121.3	7,671	10,985	16,225
Boston.....	39,725	2,754,000	126.2	7,825	12,819	19,073
St. Louis.....	35,531	2,363,000	³ 120.8	7,238	10,944	15,733
Detroit.....	29,957	4,200,000	125.0	7,074	10,754	15,665
Honolulu.....	25,692	1,631,000	³ 122.4	8,990	13,108	19,700
Pittsburgh.....	18,282	2,401,000	124.7	7,078	10,686	15,475
Seattle.....	16,497	1,422,000	³ 119.0	7,666	11,124	15,786

¹ April 1972 figures unless otherwise noted.
² February 1972.

³ March 1972.

⁴ Source: Bureau of Labor Statistics.

FEDERAL CIVILIAN EMPLOYMENT IN METRO AREAS OF 500,000 AND MORE

Metropolitan	Federal workers	Population	Metropolitan	Federal workers	Population
Akron, Ohio	2,595	679,000	Minneapolis-St. Paul, Minn.	18,198	1,814,000
Albany-Schenectady-Troy, N.Y.	8,555	721,000	Nashville, Tenn.	6,520	541,000
Allentown-Beth-Elm, Pa.-N.J.	1,863	544,000	New Orleans, La.	13,130	1,046,000
Anaheim-Santa Ana-Garland, Calif.	8,783	1,420,000	New York, N.Y.	122,934	11,529,000
Atlanta, Ga.	27,341	1,390,000	Newark, N.J.	21,866	1,857,000
Baltimore, Md.	52,941	2,071,000	Norfolk-Portsmouth, Va.	32,349	681,000
Birmingham, Ala.	7,448	739,000	Oklahoma City, Okla.	33,497	641,000
Boston, Mass.	39,725	2,754,000	Omaha, Nebr.-Iowa	8,145	540,000
Buffalo, N.Y.	9,850	1,349,000	Patterson-Cliff-Pasadena, N.J.	5,949	1,359,000
Chicago, Ill.	72,998	6,979,000	Philadelphia, Pa.-N.J.	80,921	4,818,000
Cincinnati, Ohio-Ky.-Ind.	13,407	1,385,000	Phoenix, Ariz.	10,230	968,000
Cleveland, Ohio	20,805	2,064,000	Pittsburgh, Pa.	18,282	2,401,000
Columbus, Ohio	11,945	916,000	Portland, Oreg.-Wash.	14,667	1,009,000
Dallas, Tex.	14,519	1,556,000	Providence-Warwick, R.I.-Mass.	5,467	911,000
Dayton, Ohio	25,973	850,000	Richmond, Va.	8,705	518,000
Denver, Colo.	26,499	1,228,000	Rochester, N.Y.	3,817	883,000
Detroit, Mich.	29,957	4,200,000	Sacramento, Calif.	27,567	801,000
Fort Lauderdale-Hollywood, Fla.	2,431	620,000	St. Louis, Mo.-Ill.	35,531	2,363,000
Fort Worth, Tex.	9,348	762,000	Salt Lake City, Utah	23,639	558,000
Gary-Hammond, Ind.	1,707	633,000	San Antonio, Tex.	39,799	864,000
Grand Rapids, Mich.	2,133	539,000	San Bernardino-Ontario, Calif.	13,073	1,143,000
Greensboro-Winston-Salem-High Point, N.C.	3,578	604,000	San Diego, Calif.	30,898	1,358,000
Hartford, Conn.	5,744	664,000	San Francisco-Oakland, Calif.	74,300	3,110,000
Honolulu, Hawaii	25,692	629,000	San Jose, Calif.	9,105	1,065,000
Houston, Tex.	17,580	1,985,000	Seattle-Everett, Wash.	16,497	1,422,000
Indianapolis, Ind.	17,155	1,110,000	Spring-Field-Chicago-Holy, Mass.-Conn.	4,075	530,000
Jacksonville, Fla.	10,314	529,000	Syracuse, N.Y.	4,315	636,000
Jersey City, N.J.	5,095	609,000	Tampa-St. Petersburg, Fla.	7,259	1,013,000
Kansas City, Mo.-Kans.	22,966	1,254,000	Toledo, Ohio-Mich.	2,736	693,000
Los Angeles-Los Angeles Beach, Calif.	69,337	7,032,000	Washington, D.C.-Md.-Va.	295,385	2,861,000
Louisville, Ky.-Ind.	10,536	827,000	Youngstown-Warren, Ohio	2,139	536,000
Memphis, Tenn.-Ark.	12,627	770,000			
Miami, Fla.	12,737	1,261,000			
Milwaukee, Wis.	10,166	1,404,000			
			Total	1,605,355	

Note: This figure represents 60.8 percent of 2,639,825 total Federal employees listed by the Civil Service Commission as of Dec. 31, 1971.

HON. MAURICE H. THATCHER

HON. DANIEL J. FLOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Mr. FLOOD. Mr. Speaker, I am saddened by the passing of a distinguished former Member of the House of Representatives, the Hon. Maurice H. Thatcher of Kentucky. Congressman Thatcher died at the age of 102 and remained to the end an active and concerned American. I submit for printing in the RECORD the obituary from the Washington Star which illuminates the long and productive life of our remarkable former colleague.

MAURICE THATCHER DIES;
Ex-CONGRESSMAN, 102

Former Rep. Maurice H. Thatcher, 102, the only surviving member of the Isthmian Canal Commission and once civil governor of the Panama Canal Zone, died Saturday at his home on 16th Street NW.

Mr. Thatcher also was the oldest surviving former member of Congress. A Republican, he represented the Kentucky district that included Louisville from 1923 to 1933. He was nominated for reelection to the House in 1932 but gave up that nomination to seek his party's nomination for the Senate instead. He failed to win the Senate nomination.

After leaving Congress he practiced law here until about two years ago.

Mr. Thatcher was born in Chicago, but when he was 4 years old his family moved to Butler County, Ky., and settled near Morgantown.

After working as a farmer he was employed by a newspaper and by several county offices. From 1892 until he resigned in 1896 to study law, he was clerk of the Butler County Circuit Court.

KENTUCKY OFFICIAL

He began practicing law in Frankfort, Ky., in 1898 and later that year began serving as assistant attorney general of Kentucky. He moved to Louisville next and from 1901 to 1906 was assistant U.S. attorney for the western district of Kentucky. From 1908 to 1910 he was the state examiner and inspector for Kentucky.

President William Howard Taft appointed Mr. Thatcher to the Isthmian Canal Commission in 1910 and also as head of the department of civil administration of the Canal Zone. The canal opened in 1914. The only bridge over the canal carries his name.

Mr. Thatcher next returned to his law practice in Louisville, where he later served on the board of public safety and as department counsel for Louisville.

While in Congress, Mr. Thatcher was active in supporting legislation providing Canal area improvements. He returned to the Canal Zone on a number of visits, including a 1956 trip and another in 1958 that was held on the 100th anniversary of the birth of Theodore Roosevelt.

Mr. Thatcher also sponsored legislation that expanded the foreign and domestic air-mail services, converted Camp Knox, Ky., of World War I into the permanent military post there, created the Mammoth Cave National Park and expanded the Abraham Lincoln Birthplace National Historical Site and the Zachary Taylor National Cemetery.

He also sponsored legislation establishing a free ferry across the Pacific entrance of the Panama Canal and a highway connecting it to the Panama road system.

Mr. Thatcher was the author of legislation in 1928 that established and continued operation of the Gorgas Memorial Laboratory in Panama City. Named for his friend, Col. William C. Gorgas, a pioneer in yellow fever work, the laboratory is prominent in tropical disease research.

Mr. Thatcher served seven terms as president of the District Society of Mayflower Descendants and also was counselor and deputy governor of the General Society of Mayflower Descendants.

His wife, the former Anne Bell Chinn of Frankfort, Ky., died in 1960. At one time she was a member of the governing board of the League of Republican Women of the District.

Services will be held at 1:30 p.m. tomorrow at the Lee Funeral Home, 4th Street and Massachusetts Avenue NW. It is requested that expressions of sympathy be in the form of contributions to the Scottish Rite Foundation, 1733 16th St. NW, for an educational fund.

SOCIAL SECURITY INCREASES

HON. RICHARD G. SHOUP

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Mr. SHOUP. Mr. Speaker, the 92d Congress passed legislation which provided social security increases of 20 percent. This measure was enacted into law and recipients looked forward to a larger check in October. In many cases the increase proved to be a myth.

State and local governments noted the social security increases as increases in individual income and used this as an excuse to slash welfare benefits, Medicaid, aid to the blind, disabled, dependent children and others. It was not the intent of Congress to cut these essential benefits but to provide social security recipients with a much needed increase in benefits.

It is incomprehensible to think that our hard pressed senior citizens are being deprived of benefits that are rightfully theirs. At best many of these citizens who have contributed so much are living with modest means. More often

their financial status is precarious, often desperate.

I am reintroducing this bill to assure that thousands of our fellow citizens will receive the benefits that Congress intended them to have. My bill will assure that the increase in social security benefits does in fact go to the recipient as a real, net 20-percent increase.

Mr. Speaker, I include my bill dealing with social security benefits in the RECORD at this time in its entirety:

H.R. 1685

A bill to require States to pass along to public assistance recipients who are entitled to social security benefits the 1972 increase in such benefits, either by disregarding it in determining their need for assistance or otherwise

Be it enacted by the Senate and House of Representatives of the United States of America assembled, That in addition to the requirements imposed by law as a condition of approval of a State plan to provide aid or assistance to individuals under title I, X, XIV, or XVI, or part A of title IV, of the Social Security Act, there is hereby imposed the requirement (and the plan shall be deemed to require) that, in the case of any individual found eligible (as a result of the requirement imposed by this Act or otherwise) for aid or assistance for any month after August 1972 who also receives in such month a monthly insurance benefit under title II of such Act which is increased (or is greater than it would otherwise be) by reason of the enactment of section 201 of Public Law 92-336, the sum of the aid or assistance received by him for such month, plus the monthly insurance benefit received by him in such month, shall not be less than the sum of—

(1) the aid or assistance which would have been received by him for such month under the State plan as in effect for August 1972, plus

(2) the monthly insurance benefit which was or would have been received by him for August 1972, plus the amount by which such benefit (effective for months after August 1972) was or would have been increased by such section 201,

whether this requirement is satisfied by disregarding a portion of his monthly insurance benefit or otherwise.

MAN'S INHUMANITY TO MAN— HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Mr. SCHERLE. Mr. Speaker, a child asks: "Where is daddy?" A mother asks: "How is my son?" A wife asks: "Is my husband alive or dead?"

Communist North Vietnam is sadistically practicing spiritual and mental genocide on over 1,757 American prisoners of war and their families.

How long?

JOINT COMMITTEE ON THE BUDGET

HON. HAROLD RUNNELS

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Mr. RUNNELS. Mr. Speaker, there has been considerable debate in regard to the role of the Congress in establishing national spending priorities. In recent years, the trend has been for the executive branch of Government to encroach upon the responsibility that should be left to the Congress.

Some would argue that administrations, both past and present, have impounded various Federal funds which have been duly appropriated by the Congress because the Congress has acted irresponsibly in matters of the Federal budget.

Other Presidents have held up the expenditure of appropriated funds in the past, but this practice has reached new heights under the present administration, which has chosen to terminate the rural environmental assistance program—REAP—abolish 2-percent loans to the Rural Electric Administration—REA—and curtail emergency loans to farmers and rural homeowners by the Farmers Home Administration.

There may be arguments pro and con on these agricultural programs, as well as the many other programs which the President has seen fit to curtail, but the individual merits of these programs is not the real issue at the moment.

At stake, I feel, is the ability of the Congress to exercise its constitutional authority on matters of Government spending.

If the Congress is relinquishing its responsibility to the executive branch, either by design or its inability to cope with the problem, I feel that the time has come for us to establish the machinery which would enable us to adequately do the job.

Therefore, Mr. Speaker, I am today introducing legislation to establish a Joint Committee on the Federal Budget. The primary function of this committee will be to estimate Federal revenues and provide Congress with a recommended Federal budget each fiscal year. It will also provide Congress with a monthly balance sheet on appropriations.

This joint House-Senate committee would consist of 26 members, including the chairmen of the House Appropriations Committee, the House Ways and Means Committee, the Senate Appropriations Committee, the Senate Finance Committee, and 11 more Members appointed from both the House and Senate.

It is my intent that the efforts of this committee will be directed toward the reduction of huge Government deficits such as the \$23 billion deficit incurred in fiscal year 1972.

Historically, we find that almost all administrations—Democrat and Republican—have overestimated Federal reve-

nues, and this is one of the big reasons for continued big deficits.

As you know, when we change administrations every 4 or 8 years, each new President brings in people who assist him in projecting revenue estimates and preparing a Federal budget.

It is time to change our entire approach to this problem by having Congress come up with its own revenue estimate and budget and then provide each and every Member with a monthly balance sheet indicating how the legislation is affecting that budget.

If Congress adopts this proposal, it should be able to come up with budgets more accurate and realistic than those we have been getting from the executive branch. Congress will then be able to take the necessary steps to avoid the deficit spending which has plagued this Nation in recent decades.

I do not propose that we replace the budget-making role of the executive, but only that we supplement it with a congressional budget. Such a system would provide its own checks and balances.

This joint responsibility on matters of the budget is a practice that has worked effectively in my own State of New Mexico, where legislators have two budgets to compare—one from the executive branch and one from their own Legislative Finance Committee.

Under this method of operation, New Mexico legislators usually wind up approving parts of both budgets, but in the end the taxpayers get a better break. The State, this year, ended the year with a \$41 million surplus. A surplus at a time when many State governments across this Nation are experiencing deficits.

By having its own committee on the Federal budget, Congress would be in a better position to vote on matters of Federal spending and the economy. I think it is time the Congress took a long, hard look at such a proposal and accepted the responsibility of better controlling the financial affairs of this Nation. This legislation, Mr. Speaker, would provide Congress with the tool it needs to do the job.

"ON PEACE IN OUR TIME," AN ADDRESS BY MR. FORBES MANN, SENIOR VICE PRESIDENT, THE LTV CORP. BEFORE THE SAN FRANCISCO CHAPTER OF THE AMERICAN ORDNANCE ASSOCIATION

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Mr. TEAGUE of Texas. Mr. Speaker, Mr. Forbes Mann, senior vice president LTV Corp., Dallas Tex., presented the main address before the San Francisco Chapter of the American Ordnance Association, an organization of American citizens dedicated to peace through industrial preparedness for national defense.

Mr. Mann has had a long tenure of service with LTV and spent several of those years of service here in Washington. He is well known to many in this body, and in my estimation one of the finest corporate executives that I know. Under leave to extend my remarks in the RECORD, I wish to include the text of Mr. Mann's address and commend its reading to all of the Members of this body:

ON PEACE IN OUR TIME

(By Forbes Mann)

THE QUEST FOR PEACE

It has now been 34 years since Neville Chamberlain's triumphant return from Munich to tell the world that it was to enjoy "peace in our time." Unfortunately, as these very words were spoken, preparations were being made for the overthrow of Czechoslovakia . . . and, eventually, of Hungary, Poland, Norway, Holland and France as well. In the years that have intervened, the people of America have enjoyed not peace but rather have suffered 20 years of tension and the agonies of fourteen years of outright war. Beyond World War II, the world has seen fighting in such diverse places as Israel and Egypt, North and South Korea, North and South Vietnam and Cambodia and Laos and Cuba and India and Pakistan and Hungary and, once again, in Czechoslovakia.

The people of America have come to hunger for peace more than anything else in the world. They are tired of conflict. They are exhausted with war. These views are shared by all Americans, the young and the old, the wealthy and the poor, and by the people who make up our military and defense industry too. They want peace, not only in our time, but also in our children's time, and in their children's time.

The disagreement that exists is over how one achieves this much sought peace. It is about this topic that I plan to talk with you this evening. I would like to suggest that the path to peace is in part through the achievement of military strength . . . and that, in contrast, it is the path to war that is paved with military weakness.

This is not, of course, a new notion. George Washington warned us "There is nothing so likely to produce peace as to be well prepared to meet an enemy." The Durants, in reviewing *The Lessons of History*, noted that "Peace is an unstable equilibrium, which can be preserved only by acknowledged supremacy or equal power."

Babylon was the largest and richest nation of its time, but its complacency easily permitted the Medes and Persians to overrun it and enslave its people. Rome, too, was the extraordinary power of its age, yet it too was destroyed. Perhaps the strongest nation in the Americas before our own time was that of the Incas, but it collapsed in the face of better armed invaders. Turning to more recent times, one can speculate what would have been the fate of Israel had it embraced a policy of cutting military expenditures and relying upon diplomacy to assure survival. History would indeed seem to suggest that weakness . . . weakness in military power or in will . . . is itself the greatest threat to peace.

There is much insight in the warning of Santayana that "Those who do not remember the past are condemned to repeat it." But it is not necessary to search the pages of history to learn that regardless of how intensely one may cherish peace, no one nation can, by itself, assure peace. The arithmetic is quite simple. It takes two to make peace . . . but only one to make war. Ask any boy in a big city whether or not the best way to stay out of a fight is by being the smallest kid on the block.

The world still obeys, unfortunately, certain of the laws of the jungle. It has now been over 40 years since an expert on such matters of no less stature than Joseph Stalin, speaking of the exploiters who had caused so much suffering in old Russia, pointed out: "You are backward, you are weak—therefore you are wrong; hence, you can be beaten and enslaved. You are mighty—therefore you are right; hence, we must be wary of you."

It is tragic indeed that the world should spend 6.4 percent of its total output on its military forces. But is it even more tragic to recall the price paid by those who in the past have too sorely tempted the appetites of would-be aggressors. We should perhaps remind ourselves that the price paid by each American to maintain our nation's military strength comes to about one dollar per day.

Stated in a somewhat lighter vein, our goal is to avoid the situation which was recently reported in the weather forecast of an Iowa newspaper, "There is a 60 percent chance of tomorrow and the next day!"

A QUESTION

But one must ask, "If strength is indeed a *sine qua non* in assuring peace, why then does such a large body of citizenry oppose expenditures for our military forces?" I suspect the answer is manifold, but the principal arguments go something like the following:

First, it is argued that the military power of the United States is already awesome. In addition, there is no reason for anyone to attack the United States, as evidenced by the fact that even tensions with the Soviet Union and the People's Republic of China seem to be relaxing. It is said that we no longer can afford to be, or need to be, the world's police force. We have urgent needs for our limited resources right here at home—where pollution threatens our very ability to breathe, where crime is rampant, where our inner cities are crumbling and where our highways kill more people than all our wars combined. Further, even if we did spend more money on defense, it would surely be squandered by the ineptitude of the defense officials. And, finally, the real threat to our country's well being is not some distant foreign power, but is our own military industrial complex—which is already so powerful as to endanger the very economic survival of our country's social programs.

I would like to take a few moments to address these viewpoints. Many, of course, have degrees of merit, and, unfortunately, none are truly satisfactorily answered in a few words. All, however, would seem to have suffered in the past from the absence of a balanced presentation of the facts. I believe there can be little question that some segments of the media have been much quicker to criticize the failings of those who are responsible for our nation's defense than to publicize their successes.

The problem with the press, it might be worth nothing in passing, is not unique to the defense complex. You may have read in connection with a recent visit by Queen Elizabeth to France that she, too, was shocked to learn of her image, as projected by the press. It seems that the French media, in this case, had over the years reported her as being pregnant on 92 separate occasions, having suffered 149 accidents and having nine miscarriages. Further, she had abdicated 63 times, been on the verge of breaking up with Prince Philip 73 times, been on the edge of a nervous breakdown on 32 occasions and had endured fully 27 attempts on her life. And I thought the defense industry had a bad press!

THE OTHER SIDE OF THE COIN

It should be said at the outset that the extent of military expenditures in the world today is one of the most saddening testimonials to our time. One should never lose sight

of the fact that the total military expenditures by all nations equals the income produced by the 1.8 billion people in the poorer half of the world's population. The real tragedy is that unilaterally to disarm oneself is, however, likely only to bring greater misery into the world.

The point of view that the military power of the U.S. is already more than adequate to assure our survival is a difficult one to assess, for in essence one must decide—how much is enough? The one thing that does seem clear is that although 10 percent too much military force might be considered wasteful, 10 percent too little might be fatal.

The end goal of our military forces is to provide sufficient strength to deter any potential aggressor from initiating either an all-out strategic exchange or a more limited tactical conflict. Clearly, in the latter case we do not now have—nor do we know how to achieve—a high confidence deterrent. In the former case, we appear to be in a much stronger position; although what is adequate in this sense depends not upon what we consider to be adequate but rather upon what the USSR and People's Republic of China consider to be an inhabitant. One important—and often neglected—point is that one's strategic deterrent must be sufficient to provide unacceptable punishment to an enemy after having absorbed a surprise attack by that enemy, and after having encountered the defenses of that enemy. If this is not the case, one may place a potential enemy in the highly dangerous position of being able to win if he initiates the conflict—and, possibly, only if he initiates the conflict.

As measured in terms of our strength, in relation to that of the USSR, it would seem that we do not provide for ourselves anywhere near the capability that the Soviets have considered necessary for themselves. The Soviets have 3,100 home defense interceptor aircraft. We have 400. The Soviets have 10,000 surface-to-air missile launchers for home defense. We have 600. The Soviets have three times as many tanks as we, more artillery, more armored combat vehicles and over a million more uniformed men. They have operational ballistic missile defenses, anti-ship missiles and orbital bombardment systems and several other systems of which, we as yet, have none. Over half the ships of the U.S. Navy are over 20 years old, as compared with one percent for the USSR.

The USSR seems, in fact, dedicated to clearly and decisively surpassing the U.S. in virtually all aspects of military strength. Four years ago, Russia had 550 ICBMs. Today they have 1500. Four years ago the U.S. had 1056 ICBMs. Today we have 1056. Four years ago the USSR had 5 advanced strategic missile submarines. Today they have 34, with number 42 now in the shipyards. Four years ago the U.S. had 41 strategic missile submarines; today we still have 41. The payload of the USSR strategic ballistic missile force, under the relationship essentially frozen by the SALT agreement, is about four times that of our own. This enormous "throw-weight" advantage provides the basis for major capability upgrading, should the Soviets elect to pursue this avenue. In fact, it is only in the areas of aircraft carriers, attack helicopters, heavy bombers and multiple independently targeted reentry vehicles that the U.S. has not already relinquished clear military supremacy.

Turning for a moment to space, the Soviets are continuing to increase the number of space launches they conduct, adding about 8 more each year than were conducted the previous year—an unwavering course they have maintained ever since the days of Sputnik. In contrast, the U.S. annual rate of launches has decreased by 10 per year since the U.S. space effort first began its decline

in 1966. These trends still appear to be largely unchecked.

Let us turn now to the point which is so often heard that we must reduce our expenditures on defense . . . so that we can increase attention to much needed social programs. This shifting of funds has, in fact, already been accomplished to such an extent that the questions today is only one of degree. The defense share of the total federal, state and local budget is the lowest it has been since 1940 . . . the year before our weakness invited Pearl Harbor. In fact, the Department of Health, Education, and Welfare has now surpassed the Department of Defense as the government's number one spender. In the eight years since the beginning of the Vietnam war, the number of defense employees has actually decreased by about 150,000. In contrast, other federal, state and local employment has grown by 4,000,000 in this same time period.

There is a common misconception that if we were only to reduce our defense budget, we would then be able to solve all those problems of our society which have heretofore escaped solution. To test the validity of this belief, assume for a moment that we were in fact to change our basic philosophy on the need for national defense and that the United States' defense budget were thereby cut to, say, the level expended by the Somali Republic. Would this then make possible the rebuilding of our cities, the elimination of poverty, the cleansing of our environment, and the elimination of crime? The answer is that in the years ahead it would make possible only a 15 percent increase in non-defense public spending. Many perhaps would argue that a 15 percent increase in the effectiveness of our public spending might alternatively be achieved merely through the improvement of the efficiency with which those programs are administered. But, be assured that if the United States were to cut its defense budget to this degree, there is a very high probability that air pollution, traffic congestion and aging buildings would indeed be reduced to the lesser of our problems.

This is not to suggest, however, that we can afford to neglect those problems which afflict our society today. Rather, it is to suggest that we can, and must, solve those problems without dismembering our capability to defend ourselves. Recall that we as a nation now have an annual gross national output which exceeds one trillion dollars. Remember that we still spend half as much on dog and cat food, for example, as on the entire space program. Or, that we spend half as much on toys and accessories for our dogs and cats as we spend on defense research and development. Thirty percent of our households own two or more cars, 95 percent own at least one television set, 45 percent possess air conditioning, a third have freezers and one in five has a dishwasher. Yet, without adequate defense, all this wealth could become incidental.

We have a story in Texas about a rancher who had almost taught his horse to eat sawdust instead of expensive oats . . . when the horse went and died.

Let me now turn to the belief that the government and the defense industry are so inept that additional expenditures to assure our military strength would merely be squandered away in bureaucratic inefficiency . . . a belief which, unfortunately, is not uncommonly held. Clearly, there is always room for improvement in the execution of the defense program. Yet, there are reasons why the defense industry has had, and is having, such great difficulties, in even so basic a matter as controlling cost. Aside from its probably unequalled position in the public's eye, there is the fact that the industry traditionally has had to perform on the very

frontiers of technology—enduring all the risks attendant thereto. In spite of all the publicity given to the defense industry in recent years, few people realize that fully 52 percent of the aerospace industry's sales next year will come from products that did not even exist in 1969. In the case of the space program, it has been said that its current problems stem not from repeated failure, but rather from brilliant success.

It is particularly important to rectify the common misconception that the aerospace industry is soaking up in profits much of what is being devoted to our national defense. A few statistics should suffice. According to the Federal Trade Commission report for the first three quarters of last year, aerospace net profits amounted to 1.9 percent of sales, as compared with 4.2 percent for manufacturing industries as a whole. Based on equity capital, aerospace profits amount to 6.2 percent, as compared with 9.6 percent for manufacturing as a whole. If profits are indeed as lucrative as one is often led to believe, it is particularly difficult to explain why over half the aerospace firms in Forbes listing for 1971 ended the year selling for less than book value.

Again, one should not draw the conclusion that there is no further room for improvement. There is much room. For example, it is particularly disquieting that the notion has come into vogue that massive paperwork systems can become adequate substitutes for good management. There simply is no substitute for capable people in management. The Blue Ribbon Defense Panel noted that documentation requirements cost the Defense Department an estimated \$4.4 billion in 1969 alone. If this figure could even have been halved, it would have been possible to procure five squadrons of fighter aircraft, 20 battalions of tanks and two destroyers with the funds saved that year alone.

The paperwork plague, incidentally, has not been limited to defense matters. The United Nations, for example, was recently estimated to have spent at least one-seventh of its entire budget to generate documents. Such important matters as how to determine a tiger's sex from its paw print have been recorded. Important—if you happen to be a tiger! Things reached such a point that a 31-nation committee spent a year studying how to reduce paperwork. It is reassuring to know that its 219 page report has now been released.

The Defense Department also is struggling to reduce paperwork. One recent request for proposals limited the offeror's response to 1,250 pages. Unfortunately, the government's request for proposals filled 935 pages!

The last of the assertions about our nation's military capability that I would like to examine is that the defense industry has such immense financial power that it is able to exert unhealthy pressures for the procurement of unneeded weapons. Consider for a moment the fact that the total market value of the five largest aerospace firms *all added together* is about three-fourths that of the Schering-Plough Company. The combined figure for these aerospace companies does, however, manage to match Schlumberger, Inc. But just barely. So much for financial power.

SIDE EFFECTS

One of the more serious long-term consequences of the decline of the defense industry has been its effect on student enrollment in engineering and the natural sciences in our colleges and universities. One must wonder at the foresight of the individual who, speaking in 1958, foresaw that "... in the United States the number of engineers and technologists graduated every year is not more than 25,000 to 26,000, and these graduates have no work to do owing to the eco-

nomic slump which prevails in America." This speaker was not the president of some American university . . . nor even the president of the aerospace firm. It was none other than Nikita Khrushchev.

The current economic plight of our nation's engineers and scientists is indeed serious and unfortunate. However, engineers and scientists have no special right to pursue their field any more than any other group unless they can contribute usefully to society. The underlying concern is simply that scientific knowledge has in the past formed a major element in the foundation of our country's ability to assure its freedom and to compete successfully in world markets. Although it takes only months to dismantle a nation's technical fibre, it takes many, many years to build it anew.

In the case of the aerospace industry, employment of scientists and engineers has indeed declined precipitously—by over 81,000 from the peak of 235,000 just five years ago. Overall employment in the industry has dropped by about one-third of the 1,450,000 total labor force that existed that same year. The overall number of jobs created by defense spending has likewise dropped by 2,486,000 in the corresponding time period. The average jobless rate for professional and technical workers last year, according to the Department of Labor, was the highest since unemployment statistics first began to be collected in 1948.

As a result, it is not surprising that freshman enrollment in U.S. engineering schools declined 16.8 percent this year alone. Among aeronautical engineering undergraduates, the drop has been even more precipitous. This trend, if unchecked, cannot help but portend great difficulty in recovering world leadership in the aerospace field . . . a field wherein the average engineer is already 42 years of age.

A WORLD WITHOUT SCIENCE

The growing disaffection of many Americans with military research and development, as is often reported in our nation's media, has expanded in the minds of many to encompass *all* research and development. There can be no question that modern technology has immensely complicated the world in which we live, producing the automobiles which pollute our atmosphere and the ships which pollute our seas. Nonetheless, I doubt very much that there are many who, after a few moments thought, would really wish to return to a world without the benefits of modern technology. It is worth considering that perhaps one-third of the people in this audience would not even be alive today were it not for the advancements in medical science, which together with improvements in the distribution of health care, have contributed to the striking increase in life expectancy achieved since the turn of the century. In 1900, for example, an American enjoyed an average lifespan of about 47 years. Today the figure has surpassed 70 years and is still growing.

Without science we would have none of the luxuries of life which we have now come to accept as essentials. There would be no air conditioning, no stoves, and no electric lights. No vaccines, radios or telephones. The President has reminded us that American science in recent years has found a way of preventing polio, placed men on the moon, and sent television pictures across the ocean.

This same technology, which has taken man to the frontiers of space, has also produced many down-to-earth benefits. A few years ago, for example, information from a weather satellite provided warning of hurricane Carla, triggering one of the largest mass evacuations ever to take place in the United States. Over 350,000 people were moved from the path of the storm—with a saving in lives

the magnitude of which can only be conjectured.

And just as weather satellites can provide warning of impending storms, so too can other satellites provide warning of growing pollution or of crop diseases. It has been estimated that fire, insects and disease cause from 13 to 20 billion dollars of agricultural damage each year in the United States alone. If warning and localization of these threats could be provided at a sufficiently early time to prevent even 20 percent of this damage, this in itself would pay for the space program in its entirety.

The under-estimation of the benefits of scientific change, and the generation of an attendant desire to resist it is a well established human phenomena. Some years ago, then New York Governor Martin Van Buren wrote to President Andrew Jackson to warn of the ominous threat posed by one new technology of his day: "The canal system of this country," he wrote, "is being threatened by a new form of transportation known as railroads. The Federal Government must preserve the canals for the following reasons: If canal boats are supplanted by railroads, serious unemployment will result. Captains, cooks, drivers, hostlers, repairmen and lock tenders will be left without means of livelihood, not to mention the numerous farmers now employed in growing hay for horses. Boat builders would suffer and towline, ship and harness makers would be left destitute. Canal boats are absolutely essential to the defense of the United States."

We are indeed fortunate that this nation did not then, or at any time since then, subscribe to such a policy of resisting scientific change. One cannot forever defend his country using canal boats, anymore than he can guarantee employment to lock tenders. The problem, then, is not one of preventing change, but rather is one of adapting change to serve man. And in the all-important area of assuring our nation's defense, one can be absolutely certain that to stand still is to fall backward.

IF PAST IS PROLOG

Thus, if that which is past is indeed prologue, we can ill-afford to repeat the errors of Neville Chamberlain's era. As former Secretary of State Dean Rusk recently suggested to the young people of our nation, one does not enhance himself by criticizing the errors of his father—only to repeat the errors of his grandfather.

We must avoid the fate of the Free World of the 1930's, which talked of peace in its time, practiced appeasement and reaped war. Such is the legacy of those who would believe that peace is founded on aspirations rather than vigilance.

It is responsible people, like this audience, who have got to carry the message to the public and make them understand the vital relationship of strength to security. Given the facts, I am confident the majority will prevail and make themselves heard. It is up to you and me to see that they get the facts!

Let it be the legacy of the '70's that we did not merely hope for peace, but that we backed that hope with the strength—both of capability and will—to transform desire into reality. For then, and only then, may it someday be said that the Free World of the 70's shunned the appeasement of an earlier time, ended the war of its time, and did in fact harvest an enduring peace.

THE NEED FOR JUSTICE IN SOCIAL SECURITY

HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Saturday, January 6, 1973

Mr. PRICE of Texas. Mr. Speaker, the American people have come to accept

social security as an important factor in their plans for providing for their retirement years. These citizens, who work hard and pay a lifetime of contributions into the social security fund, rightfully look forward to the day when they can retire and begin to receive the fruits of their labors. Sadly, all too many persons approaching retirement find out that retirement, instead of being a time of fulfillment, will actually mean deprivation, since social security is not a retirement or pension system in that contributions to this fund do not automatically build equity. Under certain circumstances, persons can pay some 40 years worth of contributions to social security and yet be able to leave nothing to their families.

Furthermore, a person can pay into social security for a lifetime only to find himself ineligible at the age of 65 to collect one thin dime's worth of benefits should he or she continue to work at a salary of a certain amount. Not only that, the same person who chooses to work after age 65 must continue paying social security tax on his or her earnings. I find these facts tragic and shocking.

In an attempt to bring greater justice to the social security law, I am today introducing a bill to abolish the limitation placed on the amount of outside income an individual may earn in order to continue to receive his or her social security benefits. It is my hope that the Congress will act quickly to pass this legislation.

The time has come for the American people to receive the benefits of their hard work—no longer should a person who at age 65 chooses to continue working be penalized for his initiative or efforts, both past and present, by not being able to collect that money which is rightfully his.

THE LATE HON. JAMES J. ROSEN

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Mr. DOMINICK V. DANIELS. Mr. Speaker, it is with deep regret that I announce the untimely passing of my good friend and a good friend of every citizen of New Jersey, the Honorable James J. Rosen of the U.S. Third Circuit Court of Appeals.

Judge Rosen embodied all the characteristics of an exemplary judge. He understood that justice was a combination of strict discipline mitigated by measured reason and mercy.

He was a strong and early believer in the rehabilitative process in the prison system and worked hard during and prior to his tenure on the bench for prison reform. He understood that men who had run up against the law cannot merely be hidden away behind barren walls without returning to society as criminals.

Mr. Speaker, the Jersey Journal and the Hudson Dispatch have both eulogized Judge Rosen on their front pages and in editorials. I include those articles in my statement today, and they follow:

[From the Hudson Dispatch, Nov. 20, 1972]

JUDGE ROSEN, 62, SUCCUMBS, WAS ON CIRCUIT BENCH

Judge James J. Rosen of the U.S. Third Circuit Court of appeals, died Saturday of an apparent heart attack at his home, 6600 Boulevard East, West New York. He was 62 years old.

Judge Rosen, who began his public career as chairman of the Weehawken Republican Party, was sworn in Nov. 1, 1971 as judge of the Third Circuit Court, one rung below the United States Supreme Court.

He was nominated for the post at the urging of his longtime friend and fellow Republican, Sen. Clifford P. Case of New Jersey.

Tall, soft-spoken and traditionally gray, the jurist frequently exhibited a humanistic expressed belief in spankings for errant youngsters and misgivings about reforming gunmen.

AN ARMED ROBBER

And yet, as a Hudson County judge assigned to the criminal section, he once braved an open meeting of the Weehawken PTA while county law officials provided him with an armed guard against an escaped convict to whom Rosen had given 15 to 21 years in the state prison.

He hadn't requested the guard against the convicted armed robber but officials even extended it around his home.

It was on this occasion that Rosen remarked that men who carried guns are the lowest in the annals of crime and he felt no hope of rehabilitation for gunmen.

On other occasions he would chide parents for failing to spend time with their children or resorting to child psychology when an "old fashioned spanking" would be more appropriate.

At the outset of his judicial career, which began with an appointment to the Hudson County Court by then Democratic Gov. Robert Meyner in 1959, Judge Rosen advocated innovative reforms for prisons and court sentencing of criminals.

He was in the post less than a year when he was to announce that something should be done about building detention and treatment centers for drug addicts, alcoholics and mental incompetents.

He felt that some social rehabilitative efforts should be done for persons "whose problems and actions bring them into criminal courts but who probably (do not) benefit from imprisonment."

FROM COUNTY COURT

He also considered the policy of allowing one man to impose a major sentence on a convicted criminal as something inferior to the European practice of leaving the decision to a panel of judges.

He argued that the practice reduces the number of court appeals and offers differing insights and opinions while minimizing human error in judgment.

From the county court Judge Rosen was to move up into the state's Superior Court. Another Democratic governor, this time, Gov. Richard Hughes, was to offer his name in nomination to the state senate in August of 1964. The senate confirmed the nomination.

REPLACES HASTIE

There he stayed until Nov. 1, 1971 when he was sworn in as a Third Circuit Judge by Judge Collins J. Seitz of the same court. He replaced Judge William J. H. Hastie, who retired.

As a Superior Court Judge, he once ruled out Hoboken's mayoral election on June 25, 1965 when current Mayor Louis DePascale had defeated Edward J. Borroni for the post. DePascale ultimately won the Nov. 16 runoff election as ordained by Judge Rosen in his decision.

Judge Rosen was also credited with civic, charitable and social contributions.

Following the successful Republican election of 1949 when Charles Krause

was elected mayor, Judge Rosen was appointed Township attorney, a post he held until his appointment to the county court.

Preceding and during that period, he had served as president of the Hudson County Bar Assn., Exalted Ruler of the Weehawken Elks and state deputy attorney general in charge of investigating the waterfront.

Testimonials came from such organizations as the Jewish Community Center of North Hudson of which he was a past president; Temple Beth-El in North Bergen dedicated a Friday night service to him; and the Palestine Histadrut Committee singled him out.

BORN IN BROOKLYN

He once served as Red Cross Fund Drive chairman and with the State Law Enforcement Council he investigated the banking and insurance industry in 1955.

He was affiliated with B'Nai B'rith, Israel Bonds, United Jewish Appeal, North Hudson Farband, Jewish Hospital of New Jersey, Yeshiva of Hudson County and the North Hudson Lawyer's Club.

Born in Brooklyn, he moved with his family to Union City in 1914. In 1929 he moved to Weehawken. He was graduated from Union Hill High School, Union City attended New York University and graduated with honors from New Jersey Law School, now Rutgers Law School.

He began his law practice in 1931 and in 1939 was admitted to practice law before the U.S. Supreme Court.

SURVIVORS LISTED

His first wife, Mrs. Pearl (nee Heyman), died July 27, 1964.

Surviving are his wife, Charlotte, widow of Dr. Moses Sandler of Fort Lee; two daughters, Mrs. Jane Feder and Mrs. Linda Human; a sister, Mrs. Sally Kaplan; a brother, Daniel and four grandchildren.

Funeral services will be held at 1:30 p.m. today from Temple Beth El, North Bergen. Rabbi Sidney Nissenbaum, his personal friend of 30-years, will offer the eulogy. Cantor Irving Obstbaum will chant the memorial prayer. Interment will be in Beth El Cemetery, Washington Township.

Guterman-Musclant Funeral Home, Hackensack is handling arrangements.

[From the Hudson Dispatch, Nov. 20, 1972]

HIS PRESENCE WILL BE MISSED

Unfortunately, there have not been too many public figures from Hudson County in recent years you cared to talk about in mixed company outside the county. But no one ever had to apologize for Judge James Rosen, who passed away Saturday.

As a member of the U.S. Circuit Court, Judge Rosen was the highest ranking jurist from a county which has made many contributions to the bench. But not too many combined "Jim" 's rare qualities of love for justice and common sense.

In 41 years as an attorney, most of them right here in Hudson Dispatch Building, Judge Rosen was the highest ranking jurist prudence. As Weehawken township attorney, he carried the community's fight against the construction of the third tube of the Lincoln Tunnel to the New Jersey Supreme Court and won a "David and Goliath" upset which forced the giant agency to make financial concessions to the small township in return for the land it was taking for the third tube. It was the kind of case only a top attorney could handle, and Judge Rosen proved to be that man.

Weehawken is still enjoying many of the fruits of that victory.

In 1959, he was nominated to the bench by then Gov. Robert B. Meyner, and brought his grace and friendship to the judiciary. On the New Jersey Superior Court, he was called upon to settle cases of international importance. When the federal court vacancy opened up in 1971, he was recommended by

Sen. Clifford Case to President Nixon for the post.

Despite his rise to prominence, the late jurist never lost his community interest. Whatever his schedule, he made it a practice to be at Weehawken Elks' annual newspaper dinner to strongly defend the free press of America.

"Jim" Rosen was a good friend to Hudson County, its lawyers, newsmen, political leaders and civic activists. His kind don't pass our way often enough.

[From the Jersey Journal, Nov. 20, 1972]

JUDGE ROSEN FUNERAL RITES SLATED TODAY

Expressions of shock and sorrow came from all parts of the state today at the death of Judge James A. Rosen, who rose to the U.S. Third District Court of Appeals from meager beginnings in Brooklyn.

Judge Rosen, 63, who was appointed to the nation's second highest court last November, died of a heart attack at his home, 6600 Boulevard East, West New York, on Saturday.

West New York police reported that at about 11:20 a.m. Saturday, they received a call to dispatch an ambulance crew to the home of the stricken judge. By the time they arrived, however, Dr. Milton Blum and several other physicians who live in the building had pronounced him dead.

Before being elevated to the Court of Appeals, Judge Rosen had been a state Superior Court judge. He was selected for the latest promotion by President Nixon, and sponsored in that nomination by Sen. Clifford P. Case.

Judge Rosen attended Union Hill High School and New York University before graduating Rutgers University Law School and being admitted to the bar in 1932.

He served as township attorney for Weehawken, his former home, and became deputy state attorney general 1952, in which post he was well-known for his handling of waterfront probes.

He was named county court judge by Gov. Robert B. Meyner in 1959, and five years later, Gov. Richard Hughes appointed him to the Superior Court.

Judge Rosen was noted for his common sense approach to law. Many of the leaders who paid tribute to the jurist cited the ease with which reporters, defendants, and other laymen could understand the rulings he handed down.

Long before ecology became a popular cause, Judge Rosen, as Weehawken township attorney, took on the powerful New York Central Railroad in a case centering on smoke pollution from coal-burning locomotives and forced the corporate giant to switch to diesel engines in the Weehawken yards.

Judge Rosen's career as township attorney was remembered also for his successful fight to secure local gains from the Port of New York Authority's construction of a third tube to the Lincoln Tunnel, a victory which observers say netted the community more than \$1 million worth of added projects.

On the Superior Court, Judge Rosen handled much of the litigation which resulted in the order to Hudson municipalities to re-assess all properties, industrial and residential, at an equal 100 per cent ratio.

Many in the crowd of mourners also recalled his decision which abolished as unconstitutional the Hudson County Boulevard Commission, which had existed for more than 60 years.

"He was an outstanding jurist," said retired state Superior Court Judge Peter Artaserse, "and his passing is a loss to both the New Jersey and the U.S. judiciary."

Harold Ruvoldt Sr., former president of the Hudson County Bar Association, over which Judge Rosen also had presided, echoed Judge Artaserse's comments: "Judge Rosen will be remembered . . . as a jurist who gave the law the breadth and understanding of the true values of life: kindness and understanding.

"It was Judge Rosen's dedication that inspired the Hudson County Bar Foundation's building of its law library and home. That building was the achievement of his lifetime, the fulfillment of his dream," Ruvoldt added.

Charles F. Krause 3d, president of the North Hudson Lawyers' Club, called Judge Rosen "a lawyer's lawyer, and after he ascended to the bench, a judge's judge."

Krause's father, Charles F. Krause Jr., who served as mayor while Mr. Rosen was town attorney, was out of town, but his wife told newsmen the elder Krause would be "shocked and dismayed" to learn of Judge Rosen's death.

Meanwhile, Mayor Stanley Iacono, the town's present mayor, said, "Weehawken is proud and honored that Judge Rosen had his beginnings here—we feel it would only have been a matter of time before he reached the Supreme Court."

Rabbi Sidney Nissenbaum, who presided at the wedding of Judge Rosen to the former Mrs. Moses Sandler in 1966, caught his breath and told a reporter he felt a deep personal loss as well as a loss to the Jewish and civic community at the judge's demise. "He was a man for all seasons—he really was," the rabbi said.

Rabbi Nissenbaum will preside at the services for Judge Rosen, which are set for Temple Beth-El, 75th Street and Hudson Avenue, at 1:30 p.m. today.

After the service at Temple Beth-El, Judge Rosen's body was to be interred in Beth-El Cemetery in Paramus.

Judge Rosen also is survived by Mrs. Jane Feder and Mrs. Linda Hyman, his two daughters by his first wife, Pearl, who died in June, 1964; a brother, Daniel; a sister, Mrs. Sally Kaplan; and four grandchildren.

[From the Jersey Journal, Nov. 20, 1972]

JUDGE ROSEN

James Rosen was the kind of a man who could rise from the Weehawken Township attorney's office, through the county and state courts, to the second highest ranking court our nation has—and still seem as though he had never left the neighborhood. He will be remembered as a most able judge by the lawyers who appeared before him and as a fine legal scholar by his associates on the appellate bench.

Away from the courts he had a quiet, polished charm and a people empathy that might have made him a most successful candidate for office had that been his bent. It is significant that his judicial appointments came from both political parties.

Two of his legal exploits while Weehawken Township counsel demonstrated how hard he worked for people. He saved about a million dollars for the township taxpayers by his negotiations with the Port Authority when the third Lincoln Tunnel was built. And, at a time when "ecology" was a word best known to dictionary readers he fought the then mighty New York Central Railroad on air pollution and forced it to replace smoky steam engines with cleaner diesels in its Weehawken yards.

Each of his advances was greeted with a universal cheer; all of Hudson shared pride in him. That is the measure of Hudson's loss.

POLICE SLAYINGS AND FEDERAL LEGISLATION

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Mr. ANDERSON of Illinois. Mr. Speaker, today six persons, including three policemen, lie dead and 15 others lie wounded in New Orleans in the after-

math of the tragic shootout at the Howard Johnson Motor Lodge. And there is some evidence to indicate that the incident was deliberately contrived to lure policemen and firemen into the area to kill them. Whether this is the work of one or two deranged individuals or part of a nationwide conspiracy to kill police, the fact remains that there has been a tragic spiral in police slayings in the last few years. In the decade from 1961 to 1971, 759 law enforcement officers were killed on duty, and in 1971 alone, 126 were murdered—a 46-percent increase over 1969 when 86 were slain. The time has clearly come to reverse and halt this spiral, and because these senseless acts of violence have reached national proportions, I think Federal legislation is required.

I am, therefore, today reintroducing two bills which I introduced in the last Congress, one to make the killing of a policeman or fireman in the line of duty a Federal offense, and another to provide a \$50,000 Federal payment to the survivors of policemen, firemen, and corrections officers killed or totally disabled in the performance of duty.

I was disappointed when, in the last Congress, we failed to complete action on similar legislation in the final days of the session. But it is my hope that the tragic happenings in New Orleans this week will impress upon us the urgency and importance of enacting this legislation early in this session.

EVELYN WADSWORTH SYMINGTON

HON. RICHARD BOLLING

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Mr. BOLLING. Mr. Speaker, there follows a very pleasant essay on one of Missouri's and our Nation's loveliest and most charming ladies. It was written by Judy Flander and appeared in the Washington Star-News on January 8, 1973.

The essay follows:

WHERE THE THREAD LEADS

(By Judy Flander)

"The thread of life is filling with the hours
Each one a slipping, multicolored bead.
Who knows what lies beyond the clasping,
Or where the slender, shining thread will lead?

We only know we strive to make them perfect,
Each symmetric, full and gay,
Well knowing that beyond the radiant center

The other half will dwindle fast away."

—Evelyn Wadsworth Symington

On the day before Christmas, while she was attending the Redskins-Green Bay Packers playoff game with good friends, Evie Symington's shining thread of life received its last few gay beads. Minutes after she returned home to the Wadsworth house on N Street, she was stricken with an aneurysm of the aorta from which she died less than an hour later at Georgetown University Hospital. The life she looked ahead to, in a poem she wrote 51 years ago when she was 18, was over.

That was the way she had wanted it to end. Driving to RFK Stadium that day with her husband, Sen. Stuart Symington, D-Mo., and Sen. Howard Cannon, D-Nev., and his

wife, Dorothy, she commented sympathetically on the plight of former President Harry Truman who, at that moment, was dying slowly in a Missouri hospital. "You know, Dorothy," she said. "When my time comes, I want to go fast. I have no desire to linger on."

Mrs. Cannon does not believe that Evie Symington had a premonition of imminent death. She and her husband later assured Sen. Symington they'd noticed no signs of illness or discomfort in his wife. "We were all feeling so fresh and nice and happy that day," said Mrs. Cannon. "It truly was one of the most delightful days I've ever spent."

Essentially, Evie Symington was classifiable as a "homemaker," or any of the other euphemisms used to describe the woman who stays home and tends her family. Hers was a family of notable men: she was the granddaughter of a Secretary of State, the daughter of a Senator and Representative, the wife of a Senator and the mother of a Congressman.

Many women, particularly of Evie's generation, assure their role as keeper of the hearth by default. They take for granted that they have no other destiny. Mrs. Symington had to make a choice.

A rising star as a supper club singer in New York's best hotels in the mid-1930s, she was earning \$1,700 a week, was deluged with Hollywood offers and had passed a Paramount screen test. She was planning to go to California to make a movie in 1938, when her husband, then a drivingly successful New York businessman, received an offer to become president of, and rejuvenate, the Emerson Electric Manufacturing Co. in St. Louis, Mo.

Soon after these developments, Stuart Symington received a call from Evie's agent, Sonny Werblin (later owner of the New York Jets) who wanted to know, "What's going on? She's cancelled everything."

That evening, Evie told her husband, "I'm either going to be a singer or I'm going to be a wife and mother. I've decided to be a wife and mother."

A young woman who later became known as "the incomparable Hildegard" took over the singing contract. If Evie ever had any regrets about giving up fame and fortune, she never told anyone. Her husband, her sons, her friends never heard her mention her career again.

Younger son, Jimmy (Rep. James Wadsworth Symington, D-Mo.) says, "I don't know what women's lib would have to say about it, all I know is she did what her heart prompted her to do. Dad's needs for her had always been tremendous—as a listener, a helper, a counselor and a refuge."

Jimmy adds that Evie knew what kind of a man she had married. He had entered the Army in World War I as a private and come out as a second lieutenant—the year he was 17. He'd already made a considerable fortune when he took over the Emerson Co. In 1945, President Truman offered him the chairmanship of the Surplus Property Board. Over the years Stuart Symington rose from one prestigious position to another. He served successively as Assistant Secretary of War for Air, Secretary of the Air Force, chairman of the National Securities Board, and administrator of the Reconstruction Finance Company.

He was first elected to the Senate in 1952 and was a serious contender for the Presidency in 1956 and 1960.

"In a way, Washington was Evie's town," said Sen. Symington the other day, recalling how he had met her at a dance in 1920 at what is now the Sheraton-Park Hotel. In 1915, when she was 12, Evie's father, James W. Wadsworth, was elected Republican Senator from New York. The family moved to the Hay house, across Lafayette Park from the White House where the Hay-Adams Hotel now stands.

The house was built by Evie's grandfather, John Hay, who served in turn as special

assistant to President Abraham Lincoln, Ambassador to England and Secretary of State under Presidents William McKinley and Theodore Roosevelt.

President and Mrs. Calvin Coolidge were among the guests when Evie married Stuart Symington on March 1, 1924. This was at St. John's Church, across the street from the Hay house.

Symington's ushers had given him a silver bowl engraved with their names. On the morning of Evie's death, as she and her husband sat in the library of their home with the Cannons prior to leaving for the Redskins game, Sen. Cannon noticed the bowl and asked about its significance. This brought forth a flood of wedding reminiscences. Evie laughed about the problem "those great big ushers had going down those narrow church aisles." And the Senator observed with satisfaction, "In 14 months, we'll celebrate our 50th wedding anniversary."

Sen. Symington is a man of sentiment. In 1969, an illness necessitated two operations for Evie and the Senator asked her at that time to write out four lines of poetry she'd written for him before they were married. (She wrote poetry all her life, though many close friends never knew it.) Sen. Symington has the poem still, on a small piece of stationery with a cheerful red apple at the top. It has been folded and refolded so many times that it has come apart at the creases:

"Oh, will the heart be rover?

Life, sad surprise?

Turn your sweet head, discover

My steady eyes."

He had brought her to Rochester, N.Y., where he worked first in his uncle's business as an iron moulder, and where their sons were born; Stuart Jr., who is now a St. Louis attorney, in 1925, and Jimmy, in 1927. The Senator remembers how in those days Evie used to sing at charity functions and with her family. Evie's father was a tenor; her mother, a soprano; her brother James J. Wadsworth (who in 1960 and 1961 was U.S. Representative to the United Nations), was a bass. Evie was a contralto.

One evening in 1934, a few years after the Symingtons had moved to New York City, the Senator recalls, "We were at a benefit at a ritzy place called the Place Pigalle where there were a lot of professional singers and somebody said, 'Let's have a song from Evie.' She sang 'The Very Thought of You' which became her theme song—and brought down the house. She could sing. Golly, she could sing. She had a voice that could break your heart."

Two weeks later, the owner of the Place Pigalle called Evie and asked if she'd like to work there as a professional singer. It was fine with her husband, but he suggested she'd better ask her father.

"Is the place East or West of Broadway?", Wadsworth wanted to know. (West of Broadway was "what you'd call the wrong side of the tracks," Sen. Symington explained later.)

"It's two doors West," said Evie.

"Well, then I guess it's okay," said Wadsworth, who evidently didn't think a matter of 24 feet would tarnish the family reputation.

Sen. Symington remembers the night his wife, as Evie Symington, society singer, opened at the Place Pigalle: "A close relative turned to a friend and said, 'Let's clap like the dickens and then get out of here. The best amateur isn't as good as the worst professional.' Evie sang 'The Very Thought of You' and halfway through, the man burst into tears."

Another time, the Senator brought along his friend, boxer Gene Tunney. The two men sat at the bar. According to the Senator, "Gene suddenly noticed that the bartender was Jack Renault, the French fighter he'd beaten in 1923. They went over the fight blow by blow. Then Gene said, 'By the way,

my friend's wife sings here and you just watch out for her."

"Are you Eve Symington's husband?" asked Renault. I said, yes, and he said, seriously, "Anybody displeases that lady, we kill him."

During the next four years Eve Symington also sang at the St. Regis Hotel, the Sert Room of the Waldorf and the Persian Room of the Plaza, accompanied by such orchestras of the '30s as those of Leo Reisman and Emile Coleman.

Mrs. John Sherman Cooper, the wife of the former Republican Senator from Kentucky, remembers: "The room would be perfectly dark and then out Evie would come like a waft of fresh air, a spotlight on her, her blonde hair glowing. She had a lovely laughing face. She had magic. It's the thing that held you. She had an intimate, caressing quality as if she was singing only to you."

Mrs. Cooper was an acquaintance and fan of Evie in those days. "When I began to know her as a friend," Mrs. Cooper says, "she became my heroine. As a Senate wife, she was the way we all wanted to be."

When the Symingtons first came to Washington in 1945, they had an apartment at the Shoreham Hotel. But in 1952, just before Symington was elected to the Senate, Evie's father died, and the couple moved in with her mother on N Street where they lived ever since. (Evie's mother, who remarried, died in 1960.)

It is a five-story house filled with antiques and paintings by Botticelli and Sir Joshua Reynolds and some of the things Evie collected such as figures of lions and Battersea boxes. Portraits of ancestors hang on all the walls, and John Hay presides over the formal dining room downstairs.

Carrie Williams, who has been doing housework for the Symingtons for five days a week for 16 years—"and I only missed two days in that time"—last saw Evie on Saturday. It was like every other morning. "I'd come in and she would have her bedroom door open and I would put her paper inside and ask her what she wanted for breakfast. After breakfast, we would have our little chat."

What about? Oh, the weather mostly. And we laughed a lot. That last day I said to her in fun, "Are you going to fire me?" And she said, "No, I'm not going to fire you. I want you to work for me as long as I live."

"She was the sweetest lady I ever met in the world."

Georgia Winters also did housework and some cooking for Evie for many years and she says, "She was so nice and so gentle. She liked to come into the kitchen and we'd do things together. She wanted to fix everything the way the Senator liked it."

On Thursday, Evie patted Mrs. Winters on the shoulder and said, "Just do your work little by little, don't get too tired." Then she added, "I'll count on you for next week."

Mrs. Winters heard about Evie's death on the 11 o'clock news Christmas Eve. "I couldn't sleep. It took so much out of me, the same as my mother's death."

Saturday night, the night before Evie died, Jimmy and Sylvia came to dinner. Jimmy says, "We'd only go over about once a month so it was great we got to see her the night before. In every gesture she seemed to be expressing the fulfillment of her life. She was about to go to St. Louis to see young Stuart and Janey and their children. Our son Jeremy was here and our daughter, Julie, was about to arrive from Paris and she knew she'd see them all."

"I remember when we arrived at the house. You know, she'd always give me a hug and this time she gave me a particularly warm hug. I noted it at the time."

Jimmy is silent for a few moments. Then he continues: "That night she wore a good dress when she went downstairs to cook our dinner. And I remember that Dad commented the day after she died how strange

this was; normally she wore an old dress, then changed for dinner."

Evie was a good cook. That night she served "baked chicken in cream sauce with halves of black olives looking like little truffles and a marvelous sort of mixed salad," Sylvia recalls.

Next morning, it being Sunday, Evie got up early and fixed the Senator breakfast. Then she packed a football lunch of bouillon, and ham and cheese and chicken sandwiches for the two of them and the Cannons. (The Symingtons had four seats in their box at RFK Stadium and always took friends to the Redskins games.)

The two couples had been planning the outing for a month, ever since they had been together for a trip to the Iron Curtain countries after the North Atlantic Assembly in Bonn. "We decided right then, if the Redskins got into a playoff, we'd all go to the game together," says Sen. Cannon.

Mrs. Cannon also remembers, "I've lived that last day we spent with her in retrospect dozens of times," she says. "Evie was in such a lovely mood."

Sitting next to Evie at the game was Mario F. Escudero. He and his wife had adjoining seats with the Symingtons for 10 years. Escudero, an attorney with Morgan, Lewis and Bockius of Washington, says Evie was "a very devout Redskins fan. She knew everything about football. That day, I lit two cigarettes for her which isn't much for a three-hour game. She cheered a lot."

"They left about 3:03, there were about three minutes to go and we were winning 16 to 3. The Senator said to me, 'Esky, we've got it won, we're leaving.' Twenty minutes later she had the attack."

Just before the game started, Dorothy Cannon remembers that Evie lost her gloves. It was a common occurrence for her and the Senator teased her about it. He gave her one of his gloves so they each wore one glove and kept the other hand in a pocket.

On the way home, Evie turned to her husband who was driving and said, "I did so appreciate your lending me your glove." He said, "I hope you didn't lose it." "No, I didn't" she said, handing it back to him. "Thank you, darlin'," said Stuart Symington.

"I just happened to look at her when he said that," Mrs. Cannon says. "She had that special twinkle in her eyes. Later I told the Senator, 'If you could only have seen her face at just that moment.' She was happy all the way home."

When they arrived at the N St. house, Evie asked the Cannons in. "But we said no because we knew they were getting ready to leave on the 5:10 plane for St. Louis; their bags were packed and waiting in the hall," says Mrs. Cannon.

As Sen. Cannon started up his car across the street, Evie, at her open door, turned and waved goodbye.

Inside, Sen. Symington had started upstairs to see about their plane tickets when he heard Evie cry out. Sylvia tells the story as she heard it from him. "She had a sudden sharp pain in her back, but she said she didn't think it was her heart. Almost immediately, she became unconscious and my father-in-law called the ambulance and then he called us."

The sirens brought the neighbors to their doors, Mrs. Herman Wouk, wife of the author on one side, and Mrs. McCook Knox, who had been living on the other side since the Wadsworths' time. Mrs. Knox saw the ambulance pull up and watched as Evie was carried "oh, so carefully on a cot down the little curve of her stairway. I saw her face. She was in no pain. She looked very beautiful."

"Even though she's been gone since Christmas Eve, I always think I'll see her walking down those steps again."

Most people learned of Evie's death when they glanced quickly at the paper, as most people do on Christmas day. The next few

days, for most, were filled with holiday activity, but the letters, telegrams and personal messages poured in to the house on N Street in a flood that has not crested yet.

One Washingtonian said he rarely has written letters of condolence in the past, but on this occasion somehow found himself impelled to write both the Senator and Jimmy. He had never met Mrs. Symington. He told the Senator that as a boy in boarding school, he and his dormitory mates had been smitten to their adolescent souls by one of Evie's songs. It taught them, he said, what a real woman was supposed to sound like. "I can't remember the name of the song," he wrote, "but if I heard it again today I would know in an instant."

There were several songs he might have had in mind: "My Romance", possibly, or "Hands Across The Table", or "Just One of Those Things." It could well have been "The Very Thought of You." But one of Eve Symington's numbers, pretty much forgotten since she popularized it in 1934, was called "Be Still My Heart." The last four lines went:

"Be still my heart,
Even though our love has
gone away
He'll be coming back to us
someday—
Be still my heart."

The Senator has not expressed an opinion on this, but Jimmy Symington thinks it not unlikely that "Be Still My Heart" was the song in question.

THE SOVIET EDUCATION TAX

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

MR. ANDERSON of Illinois. Mr. Speaker, I am today introducing a sense of Congress resolution relating to the restrictive emigration policies of the Soviet Union. Specifically, my resolution calls upon the President to "take immediate and determined steps to persuade the Soviet government to permit its citizens the right to emigrate to the countries of their choice without the imposition of more than a nominal emigration fee" by utilizing formal and informal contacts with Soviet officials, by raising in the U.N. General Assembly the Soviet Union's transgression of the right to emigrate as affirmed by the Declaration of Human Rights, and by focusing world attention on the Soviet Government's restrictive emigration policies and excessive fees. The resolution further affirms the right of the Congress to withhold final action on any legislation which would extend special trade benefits to any nation which denies its citizens the right to emigrate.

Mr. Speaker, last August the Soviet Union imposed a harsh new "education tax" on its emigrating citizens, ranging from \$4,000 to \$25,000, depending on their level of educational attainment. This was correctly interpreted as being aimed at Soviet Jews since they do comprise the largest number of emigrants as well as being a highly educated class of citizens. This is but one more instance of the Soviet Union's persecution of religious minorities, and these abuses of human and minority group rights con-

tinue to be a real sore point between the United States and U.S.S.R. at a time when we are attempting to improve relations.

At this point in the RECORD, Mr. Speaker, I include the full text of my resolution and a copy of an article I wrote for a Jewish publication in my district last month on this subject:

H. CON. RES. 45

Whereas the Government of the Soviet Union has denied or restricted the rights of its citizens to emigrate to the countries of their choice, in clear contravention of the United Nations Declaration of Human Rights, and has imposed an exorbitant "education tax" on those citizens wishing to emigrate: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the President of the United States of America should take immediate and determined steps to persuade the Soviet Government to permit its citizens the right to emigrate to the countries of their choice without the imposition of more than a nominal emigration fee, such steps to include, but not limited to—

(1) utilizing formal and informal contacts with Soviet officials in an effort to secure an end to discriminatory emigration policies;

(2) calling upon the State Department to raise in the General Assembly of the United Nations the issue of the Soviet Union's transgression of the right to emigrate as affirmed by Article 13 of the United Nations Declaration of Human Rights; and

(3) focusing world attention on the Soviet Government's restrictive emigration policies and excessive emigration fees; and be it further

Resolved, That the Congress reserves the right to withhold final action on any legislation which extends special trade concessions, credits or other benefits to any nation which denies or restricts the rights of its citizens to emigrate to the countries of their choice, or which imposes more than a nominal emigration fee.

CONGRESS AND THE PLIGHT OF SOVIET JEWS (By Congressman JOHN B. ANDERSON)

The plight of Soviet Jewry has long been a matter of grave concern to Members of Congress who are committed to the universal preservation and extension of human rights. In the first 16 months of the 92nd Congress, for instance, 162 Members of the House introduced 48 bills and resolutions concerning the status of Soviet Jews and their right of emigration. I felt especially honored, therefore, when the House Foreign Affairs Committee chose to report out a resolution coauthored by Congressman Thomas P. O'Neill, Jr. (D-Mass.), and myself, and cosponsored by over 100 House Members. Our resolution urged the President to call upon the Soviet Government to permit the free exercise of religion in the Soviet Union and the right to emigrate, and to raise the issue of Soviet transgression of the Declaration of Human Rights, particularly with regards to Soviet Jews and other minorities, in the U.N. General Assembly. The measure overwhelmingly passed the House by a vote of 360-2 on April 17, 1972.

In testifying for our resolution before the House Foreign Affairs Subcommittee on Europe on November 10, 1971, I related the extent of minority group persecution in the Soviet Union, particularly that directed against its Jewish population. Official restrictions against Jewish religious and cultural life have been amply catalogued in recent years; these include inadequate religious facilities, the prohibition against publication of religious materials, pressures against synagogue attendance, and the refusal to allow rabbinical training.

I concluded that it was little wonder that thousands of Soviet Jews had requested permission to emigrate in order to maintain their religious and cultural identities. And yet here too they are confronted with restrictive and discriminatory policies; the Soviet record to date on emigration has been abysmal and token—in clear contravention of Article XIII of the Universal Declaration of Human Rights which affirms the right to emigrate. Those who even apply for emigration risk losing their jobs or even imprisonment.

The first small crack in the Soviet emigration wall came in March of 1971. Apparently responding to world pressure, the Soviets began to loosen up on their restrictive emigration policy. Whereas in 1970 only 1,000 Soviet Jews were permitted to leave the country, in 1971 nearly 15,000 were allowed to leave, and, in the first eight months of 1972, 20,000 Jews were permitted to emigrate; and, by the end of this year, that figure is expected to reach 30,000. But, on August 15, 1972, the Soviet government imposed a harsh new "diploma tax" on emigration. In addition to paying the normal 900 ruble (\$1,100) visa fee, emigrants were required to pay an additional levy of between \$4,000 and \$25,000, depending on their level of education. The official explanation for the new "diploma tax" is that it is designed to "reimburse" the State for the education costs of those wishing to emigrate, even though the amount of the levy bears little relation to actual costs.

The public outcry against this harsh new tax was immediate, spontaneous and universal, and the U.S. Congress was no exception. On September 27, 1972, Senator Henry M. Jackson (D-Wash.) announced on the floor of the Senate that he intended to introduce an amendment to the East-West Trade Relations Act which would deny the "most-favored-nation treatment" to any country which forbids its citizens the right to emigrate to the country of their choice or which imposes a more than nominal levy on emigration.

A week later, on October 4th, Senator Jackson introduced that amendment along with 73 cosponsors, or three-fourths of the Senate membership. An identical amendment was introduced in the House of Representatives on the same day by Representative Charles A. Vanik (D-Ohio) with 134 cosponsors. Congressman Vanik had already succeeded on September 21st in getting the House to pass by a voice vote a similar amendment to the Foreign Assistance Appropriation bill—an amendment which would prohibit the use of those funds to provide loans, credit or other assistance to any nation that imposes exit fees in excess of \$50 on its citizens. But the amendment was viewed as a symbolic moral outcry since there was no money for the Soviet Union in the bill.

That same bill earmarked not less than \$350 million in aid and military credit sales for Israel and another \$50 million to assist Israel in resettling Soviet Jewish emigrants. But both the foreign aid authorization and appropriation bills died in the 92nd Congress because the House and Senate could not reconcile their differences, and these programs are now operating on a continuing resolution until the new Congress can reconsider the measures.

The new Congress will also be considering the advisability of attaching the Jackson-Vanik amendment to the East-West Trade Relations Act—a measure which, in effect, ratifies the U.S.-Soviet trade agreement signed in October. So, if the Soviets do not rescind their "diploma tax" by the time the Trade Relations Act is taken up in the Congress, and, if the Jackson-Vanik amendment is adopted, it could mean a delay in the implementation of the agreement until there is an emigration policy change, or a complete breakdown in the agreement.

There is some evidence that the Soviets may already be responding to the impressive show of Congressional support for the Jackson-Vanik amendment. During the last week in October the Soviet government informed 190 Jewish families that they could leave the country without having to pay the "diploma tax." The waivers were seen as an attempt to mollify Congressional opposition to the Trade Relations Act, and, a Soviet police official was quoted as saying they did not represent a basic change in Soviet policy. At the same time, reports coming out of the Soviet Union indicate that harassment of Jews by police and hooligans is on the increase. *Newsweek* quoted one Jewish citizen as saying, "Everything here in Moscow is worse than ever. The police constantly harass us so that those of us who have lost our jobs for wanting to emigrate cannot even starve in peace."

One thing is certain: Congressional supporters of the Jackson-Vanik amendment will not be impressed or persuaded by token waivers of the "diploma tax," and the amendment will still be a central focus of attention during hearings and debate on the Trade Relations Act in the 93rd Congress. The Administration has already expressed its opposition to the Jackson-Vanik approach. In late September, President Nixon told Jewish supporters in New York that the problem of the emigration tax will not be solved by "entering into harsh confrontation"—that this approach would be "counterproductive" and that he preferred instead the "quiet diplomacy" approach to Moscow.

Expanding on this theme, the *Los Angeles Times* editorialized: "There is no evidence to indicate that the Soviet leadership, in a confrontation over the trade agreement, would yield on an issue of this sort. . . . It is the growing mutual confidence between the two nations, not threats, that is most likely to make persuasive the American protest against the degrading treatment of Jews in the Soviet Union."

And the *New York Times* made a similar point in its editorial on the subject: "While neither the necessity for peace nor the desire for trade makes any less abhorrent to most Americans various aspects of the Soviet system—specifically this new form of legalized blackmail against Russian Jews—we do not believe it is productive to try to enforce political changes in the Soviet (or any other) system through the unilateral use of economic pressure. The results are likely to be the opposite of those intended."

These comments raise the very tough and real question as to whether the Jackson-Vanik amendment is the answer. Of the 73 Senate cosponsors, 27 are also cosponsors of the East-West Trade Relations Act, and many of them have expressed the sincere hope that the Soviets would rescind the "diploma tax" before a confrontation becomes necessary. There is an awareness in the Congress that more is at stake here than just the trade agreement, as important as that is. What is involved here is the whole climate of rapprochement that has been achieved over the last four years between the U.S. and the Soviet Union. Should this climate be thrown into jeopardy over a single issue, as important as it is, especially when there may be less opportunity for resolving the problem in a more hostile climate? The whole theme of the Nixon Administration's "strategy for peace" has been to move from an era of confrontation to an era of negotiation. Should the Congress precipitate a direct confrontation which could not only imperil future negotiations but endanger the structure of peace which has been built to date?

It is my sincere hope that we can avoid such a direct confrontation, with all the risks involved, by persuading the Soviets to permit free emigration without excessive fees before this legislation is taken up in the Congress. This will require a concerted diplomatic effort by the Administration utilizing formal

and informal contacts with Soviet officials, and focusing world attention on the problem through the U.N. and other forums sensitive to the pressures of public opinion. If these efforts are not successful, the words of Senator Jackson will come back to haunt the Soviets: "It is important that the Russians understand that they are dealing not only with the Administration but also with Congress."

OUR NATION'S 200TH ANNIVERSARY

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Mr. ZABLOCKI, Mr. Speaker, in recent months many persons have expressed concern that plans for the celebration of the American Revolution bicentennial have lost sight of the original goal of that celebration—to convey a sense of our American heritage through local observances of our Nation's 200th anniversary. Therefore, I was pleased to hear from a young woman who has a clear idea of the aim of our bicentennial celebration. At this time I would like to share with my colleagues the letter I received from Mrs. Joan Wiskowski, a 25-year-old mother, in the hope that it will emphasize the importance of increased local participation and involvement in bicentennial observance plans.

Mrs. Wiskowski's letter follows:

NEW BERLIN, WIS.

January 1, 1973.

HON. CLEMENT J. ZABLOCKI,
U.S. House of Representatives, Washington,
D.C.

DEAR CONGRESSMAN ZABLOCKI: The first news some years ago that this country was to celebrate its 200th birthday with special and official commemorations excited me with an old-fashion patriotism I am proud to claim as part of my heritage.

Since then, I have been following through the press and ARBC newsletters the progress, if it can be called that, of the American Revolution Bicentennial Commission. It is my feeling that the celebration of our independence and the birth of our nation be celebrated with dignity, truth, simplicity, and popular involvement.

But as I see it now, plans for 1976 are caught up in foolish spending \$35,130 to design the symbol!, grandiose schemes for new programs and more spending in the name of the centennial, and little grass roots involvement* True, many of the programs planned in the areas of historic preservation and restoration, art heritage and educational research are well-intended. But I do believe that a number of programs and their costs could be cut, eliminated, or supported by local or private funds, not by federal tax money. Too often, the latter becomes enmeshed in a hierarchy of committee expenses, study groups, transportation expenses and salaries.

I think that most of us, including you, Congressman Zablocki, know very well what we would like the centennial celebration to impart to Americans. We would like to experience again the new world of 1776, when this land was fresh and good, seeded with hope and the promise of real freedom, when the ideas of the founding fathers were alive with faith in this young country. And we

would like that same spirit carried through our colorful heritage to today's young people, the best hope of our country. As young men in 1776 saw dreams beyond their own century, maybe our young men and women will see a continuing American dream beyond our own.

Unfortunately, faith and hope in the spirit of America have been corrupted by modern wars, poverty, crime and impersonal politics, as well as by our own preoccupation with individual wants and needs. I am hoping that through better public education in the next three years our young people, and all of us, may meet 1976 with a new outlook on the future of the USA. As a young tree needs roots to thrive, people too need to cherish the roots of a common heritage to grow and build a nation.

I ask you to personally keep an eye on the activities and spending of the American Revolution Bicentennial Commission. It certainly has great possibilities but time is already running short.

Thank you.

Sincerely,

Mrs. JOAN WISKOWSKI,

P.S.—I am 25 years old, a wife and mother, a journalism and history graduate of Marquette University, and a former newspaper reporter.

GEN. WILLIAM C. WESTMORELAND'S ADDRESS BEFORE THE ANNUAL BANQUET OF THE OAK CLIFF, TEX., CHAMBER OF COMMERCE

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Mr. TEAGUE of Texas. Mr. Speaker, in my many years in the Congress, I have been acquainted with a great number of military men. I have been close to many, but not nearly as close as I have been to Gen. William C. Westmoreland, dating back to his days as superintendent of the U.S. Military Academy. I regard him as a personal friend.

At my request, he agreed to fit into his busy schedule after retirement, a speech to the Oak Cliff Chamber of Commerce, Oak Cliff, Tex. Under leave to extend my remarks in the RECORD, I wish to include the text of that address:

ADDRESS BY GEN. WILLIAM CHILDS WESTMORELAND, U.S. ARMY, RETIRED, AT THE ANNUAL INSTALLATION OF OFFICERS FOR THE OAK CLIFF CHAMBER OF COMMERCE AT THE STATLER HILTON HOTEL, DALLAS, TEX., ON THURSDAY, OCTOBER 26, 1972

Ladies and gentlemen:

From the perspective of thirty-six years of service in uniform and with the deep and abiding love I have for the people, the laws and institutions of our country—it is my pleasure this evening to share with you a statement of my confidence in our great nation and my hope for its future.

Such confidence and hope, some people say, are eroded by much of what we experience in the mass media. Certainly, all of us are daily and painfully aware of the effect of the media on our lives. But whatever our cries of alarm, or our calls for its reform, we are, I suppose, calling for a reform of human nature . . . and that, as you know, is always a difficult undertaking. It is difficult because good news is always no news. And bad news—the exception to normal and good human behavior . . . repeated often enough in the special context of the daily 30 minute broadcast or

the short, eye-catching headline . . . quite often changes from the exception to the rule.

Ladies and gentlemen, whatever our media influenced feelings—we must keep in mind as we live and work and think about the future that there is a lot right about America. But we need not worry that we will grow complacent over the problems which face us. We live in a society increasingly concerned about the water we drink, the food we eat, the air we breathe, the fuel we burn. We live in a society worried about the way we travel, exercise, work, live and love. We exist in an environment in which we feel we need immediate solutions to every problem that confronts us. But we are unfortunately quite willing to ignore our past efforts.

In the opinion of some analysts today, we had the Russians all wrong after World War II. They tell us that we really should have trusted them a bit more and thus could have avoided the Cold War—they say we took counsel of our fears too quickly. Greater commitment to peace would have kept our defense budgets low and kept the world at peace. The facts of history do not bear this out—we have been asked to swallow a great deal of such nonsense in recent years. But, ladies and gentlemen, never have we been asked to swallow so much so quickly. The United States has never been, is not now, and will never be—a country dedicated to imperialist expansion, and military or ideological dominance. When I entered the ranks of the Army 36 years ago—our Army was only the 9th largest in the world—our Navy sailed obsolete ships and our Air Force was hopelessly outclassed. We had an all-volunteer Army then. It was under-equipped, underpaid and unappreciated. It accomplished only one thing in the pre-World War II era. It convinced the Axis military planners that we would be a negligible threat to their plans for world conquest.

As you know, in World War II this nation accomplished a military, industrial and logistical miracle—increasing our forces ten fold—crushing the Axis, and supporting our Allies with our super-abundant production.

We did not plan for the Cold War. We set up no Iron Curtain. Neither did we amass territory or seek military control over zones or spheres of influence.

On the contrary, we disarmed. We threw billions of dollars of war equipment into the sea, let it rust, sold it, or gave it away. Delegations of American mothers pounded on General Eisenhower's desk in Europe. And again, we sent the boys home and stripped the Services bare—because we hoped . . . and believed . . . in the promises of peace made by our wartime allies at Yalta and Potsdam. Together with these allies we founded the United Nations in San Francisco in 1945 in the hope of forming a world order capable of resolving future differences between nations without the use of arms. Turning our efforts to peace, we allowed our military might of World War II to dissipate. By 1947 hardly a combat ready unit remained in the Army, and by 1948 its strength had declined from a high of six million to the half million figure which had existed just prior to the war. Instead of military pursuits, we applied our efforts and resources to reconstruction of the war-torn world through the Marshall Plan. What military forces we had were devoted principally to supporting this effort and aiding our former enemies to lift themselves out of the ashes of defeat. But our aspirations of world tranquility and balanced mutual prosperity were not shared by all. It was the events of the late 1940's—not any American desire for imperial grandeur or world domination—that caused us to rearm and once again resort to a position of military strength in the 1950's.

Coexistence was not in the Russian diplomatic vocabulary. As the dust of World War II settled, the Soviets threw a cordon of military control around the countries of

*Refer to the Milwaukee Journal story "Probers Call US Birthday Plans a Bust" Saturday, December 30, Page 8.

Eastern Europe they had occupied in the closing days of the war. They then systematically deposed the free and independent governments of these countries or, in cases such as Poland, barred the return of the legitimate government from exile. In their places, Moscow substituted puppet Communist regimes, fabricated in the Soviet Union. Thwarted in Czechoslovakia, they resorted to assassination of the president of that democratic country to bring down the elected government and fold it into the Soviet domain. As their advance crept forward, Iran to the south and Greece to the west were threatened with Communist takeovers and Soviet domination. In Germany, the land corridors, which the Russians had solemnly agreed to respect, were closed . . . all of this in the face of almost complete American disarmament and military impotence. When in 1950 North Korea—at Russian instigation and with her support—attacked her neighbor to the south, we were finally moved to act.

Many have forgotten these chapters of the past, and it all sounds out of tune with our present state of affairs. We have recently signed a treaty with the Soviets which all of us can applaud as a positive, forceful step toward peace. We have also arrived at a degree of understanding with the Chinese. But, ladies and gentlemen, these treaties—these undertakings—any experienced observer will agree . . . would not have been possible if the United States had been dealing from a position of disarmed weakness.

Let me clarify that last term. We are not a country weak in resources. Neither are we a country weak in industrial or military strength when such strength is needed. But we may very well be a country in danger of becoming weak in the will and determination to maintain our strength. We have a history to be proud of—a form of government dedicated to justice—a way of life that, in its potential benefit for all, is both a precious possession and the envy of the world. If we are to maintain this reputation—to continue to succeed—we must be strong.

But I do think you will agree that we have been listening too much recently to our home-grown Cassandras and Jerimaahs. Their voices chant myths that grow more credible each time they are repeated. They would convince us that the Defense budget dominates public spending, that our Nation is on a wartime economy footing, that the Armed Services squander billions on cost overruns and that what they call the peace dividend has been stolen. Facts belie these myths—but these myths have been accepted by many.

Let's look at the record. Let's review the facts. The Defense shares of the gross national product and the total national budget are at the lowest point today than in more than 20 years. Manpower devoted to national defense is the lowest since 1950. With any statistical juggling—if we compare Fiscal Year 1972 with any of the past 22 years—we will see that little of our real economic growth has been allocated to national defense. In fact, the portion of our gross national product devoted to national defense has now dropped to a low of just over 6%.

The facts are there—the record is open for inspection—but the myth makers don't give up. They continue to maintain that we still are on a wartime economy. Let's take another look at the facts and compare today's spending with 1945. Then, in the last year of World War II, we were spending five times as much on national defense as we were on our social and economic needs. That was truly a wartime economy. Today these proportions have been reversed, with social and economic spending three times that of national defense. This can hardly support the contention that we are still living on a wartime economy.

Another persistent allegation is that defense spending is a dominant factor in our

balance of payments problem. Again, what are the facts? In FY 1956–59, foreign expenditures by the Defense Department were equivalent to 24.4% of imports into the United States. In FY 1972, foreign expenditure for Defense fell to less than 10% of our imports.

The figures cited to "prove" these allegations remind us of the saying that there are three types of falsity—"lies," "damn lies," and "statistics." But the facts don't lie—and the conclusions are there if one searches out the facts and takes the trouble to do some careful addition.

Yes, adding up the overall sums, it is true that we have spent a lot of money on defense in the past twenty-seven years since the close of World War II. But we can be proud of what that money has bought. It represents an investment in freedom—freedom to choose one's form of government—freedom from foreign domination and control, and freedom to pursue our way of life.

It would be a great advance in the history of mankind if good will alone would sustain the United States in the days and years ahead. Peace would be assured at very little cost. But I think that we will all agree that—human nature and national interests being what they are—such Utopian dreams are unrealistic. Though we ourselves have no territorial ambitions nor desire to forcibly impose our way of life or some ideology on other nations, it remains clear that—until human and national nature change—we will continue to need a strong Armed Forces. We have never believed in large standing Armed Forces and in peace time we have always cut them to the minimum—frequently well below that minimum. And this we have done once again as our participation in the Vietnam War has wound down. But we now have just about reached that minimum strength consistent with the world situation and our national interests. The Army, for example, now stands at just over half its strength at the height of the Vietnam War and at the lowest level since the days of complacency just after World War II.

We are now moving toward an all-volunteer Army—away from the concept of national service—but this entails a social risk. It is foolish to say that we may be creating a military elite dangerous to democracy by moving to an all-volunteer force. But we should be concerned that in killing the draft we may kill the concept that all citizens owe a debt of service to their country. I would remind you that the concept of the citizen-soldier has historically been a valuable one.

This concept is not new. The ancient Greek historians saw the demise of that concept as the beginning of the end of the great democracy of Athens. Demosthenes speaking before the Athenian Assembly echoed their concern when he said that the one source of defeat of the Greek Army was that its citizens had ceased to be soldiers. "Disband your mercenary armies," he said, "Man your fleets with the best of your free-born citizens."

History records that the Assembly voted against the proposal of Demosthenes. It also records that the last vestige of Greek independence vanished shortly thereafter under the Roman swords in the hands of an all-citizen Army at Corinth.

The decline of Rome—under the same conditions—came when she too gave up the tradition that the responsibility of protecting and defending the state was the inherent duty of every citizen. Both Greece and Rome historically demonstrate that personal, individual liberty and the safety of the state were highest during their periods of citizen-soldier obligation and lowest during that period when citizen involvement in the national defense came to an end.

We are tending in this direction in the United States today. With the absence of the draft the Armed Forces will no longer be composed of a cross section of our na-

tional fiber, which has infused virility into the Armed Forces and kept it closely identified with our citizenry, their aspirations, and their sentiments. The loss of this close association would weaken our Armed Forces. Conversely, many of our citizens, who otherwise would serve their country, will not have the advantage of this experience. This lack of direct association and personal involvement with our national interest, I feel, may well have a weakening effect on the national dedication of our citizenry. In addition, there is a real danger that we cannot economically attract a sufficient number of quality personnel to meet our minimum requirements. The number of such personnel who have an avocation for military service and who will volunteer is not unlimited, and we may find that to provide the incentives and pay the price to attract that last measure of manpower to meet our minimum needs may simply be too costly.

A concept that would reverse this trend in the United States today is being talked about a great deal in Government. It argues that we should not be killing the draft but rather we should be establishing a National Service Corps—with a required commitment for all of our young people—commitment that would take them beyond their personal concerns to the commitment of a common cause. Whatever is decided, I know that our Armed Forces will support the public's decision.

Ladies and gentlemen, we are a great democracy and still very much an example of freedom and justice to the rest of the world. We have problems, but—thank God—we have the resources to solve them.

We must at all cost maintain our will and determination to solve our problems and maintain our strength. For without this strength our national security and the security of the free world will soon erode. Other powers with other interest will be quick to take over our position of leadership, and, not only ourselves, but the world will be the loser.

POSTAL SERVICE REPORTS CUT IN LOSSES

HON. WILLIAM O. MILLS

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Mr. MILLS of Maryland. Mr. Speaker, I would like to share with my colleagues a recent article which appeared in the New York Times and gives a picture of the improved operations of the Postal Service during the last 18 months.

I include the article at this time for the consideration of my colleagues:

[From the New York Times, Jan. 5, 1973]

POSTAL SERVICE REPORTS CUT IN LOSSES

WASHINGTON, Jan. 4.—The United States Postal Service, which took over mail operations from the old Post Office Department 18 months ago, released figures today showing a 14 per cent smaller net loss in the last fiscal year than in the year before.

It also reported a 34.8 per cent drop in Government appropriations for the past fiscal year. Both figures had been climbing sharply the last few years.

The quasi-public Postal Service's first annual report shows that the agency paid 84 per cent of its total costs during its first year of operation. The service has a Congressional mandate to make the operation virtually free of subsidies by 1984.

In submitting the report, Postmaster General Elmer T. Klassen said the Postal Service had taken on problems "decades in the making," and he stated two goals for the agency.

The first goal is improved service, an area

in which Mr. Klassen believes performance remains "uneven" but in which he thinks improvements have been made.

An example of improved service cited by Mr. Klassen is a 94 per cent next-day-delivery average for local first-class mail deposited by 5:00 P.M. He also reports a decrease from 1.7 days to 1.6 days of the average delivery time for the 8.9 billion first-class letters mailed during the report period. Total mail volume was 87.2-billion.

The second goal Mr. Klassen hopes to achieve is a reduction in costs. Since 85 per cent of the Postal Service's costs are labor-related, a freeze, still partly in effect, was imposed on new hiring and a special policy was put into effect to encourage early retirement.

These steps, along with normal attrition, reduced the postal labor force by 22,511 employees to 706,400 by the end of the fiscal year. Current employment figures shows 680,000 employees.

The report also states that productivity has risen, with a 2.4 per cent increase in the number of pieces of mail handled per man-hour. The report credits this increase to new mail handling systems and better management by local postmasters, who now have responsibility for their own budgets for the first time.

Mr. Klassen credits "the commitment by postal managers, especially in the field" with holding down costs enabling the Postal Service to avoid a planned postage rate increase that had been scheduled for this month. Even with commitments to salary increases in 1973, Mr. Klassen has said he does not foresee a rise in the postage rate in the near future.

This first year-end report of the Postal Service breaks away from the traditionally drab government report. It resembles a corporation's report to its stockholders and uses large numbers of pictures and other graphics.

URBAN MASS TRANSPORTATION TRUST FUND

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Mr. ANNUNZIO. Mr. Speaker, I am today introducing a bill to provide for the establishment of an urban mass transportation trust fund to be funded by an amount equal to 40 percent of the total received annually in the highway trust fund.

I am convinced that the only way we are going to be able to provide a known and adequate source of funds for urban mass transportation is to set up a separate trust fund solely to finance the needs of urban mass transportation.

Since there is no adequate users tax upon which revenues can be received for this urban mass transportation trust fund, I am proposing this bill to have 40 percent of all the highway trust funds annually be earmarked and transferred from the highway trust fund to the new proposed urban mass transportation trust fund. I do not believe that this proposed use of highway trust fund moneys is any way contrary to the purpose of the highway trust fund. We are providing here transportation users tax not just for the highways, but for the whole broad spectrum of urban mass transportation.

We all recall the serious controversies

that arose late in the last session of the 92d Congress regarding the proposal to earmark \$800 million of the highway trust fund for urban transportation needs. If this provision had been enacted into law, I seriously doubt whether that amount of funds would actually have been made available for urban mass transportation needs. I believe most of those funds would have gone for urban highway systems, improvement of existing highways within urban areas, and other such similar purposes. I am further convinced that the use of highway trust funds under the existing highway trust fund structure would not provide adequate funds for urban mass transportation needs unless the expansion of the interstate highway program is either sharply curtailed or abandoned.

The highway and the automobile have been relied on heavily in the past while little attention has been given to other modes of transportation. The President cited in the revenue-sharing message on transportation, March 18, 1971, the astonishing fact that approximately 94 percent of all travel in urbanized areas is by automobile, yet 25 percent of our people—especially the old, the very young, the poor, and handicapped—do not drive a car. This alone shows the inadequacy of our transportation program.

Our urban centers are constantly growing, both in geographical size and population. In just a few decades, the number of people living in and close to the cities is expected to double. The problem of moving people and goods around and through our urban places is already critical. And unless we make full provisions for a program to meet and solve the urban transportation snarl, it will grow progressively worse, and I fear that the only alternative being offered to us is bigger, better, longer, and wider concrete highways. There is still time to act—but it must be now.

All too often today we find a city that has lost a park to an expressway; the elderly dying of respiratory diseases because the air is polluted; our children becoming statistics—55,000 fatalities on our highways each year and those who do not have cars or choose not to use them do not have access to a decent mass transit system.

The job facing us today is to make our urban transit systems efficient and accessible to more people, to charge fares which are conducive to increased patronage, and to provide equipment and service attractive and convenient enough to encourage people to depend on mass transit for a substantial part of their urban travel.

My proposal would simply have 40 percent of all highway trust fund receipts each year transferred to the urban mass transportation trust fund which would then provide for the direct grants to the local communities for the exclusive use of urban mass transportation needs.

I urge my colleagues to give their bipartisan support in the 93d Congress to legislation which would provide efficient, pollution-free mass transportation at a reasonable cost in order that a meaningful solution to the problem may be effected.

GOVERNMENT REFUSES TO PROSECUTE IN CHICAGO TRIBUNE GUN-BUYING CASE

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Mr. SIKES. Mr. Speaker, I am one of many who have been concerned by the Government's handling of international violations of the Federal Gun Control Act of 1968 by Chicago Tribune reporters. The Government has now refused to prosecute in this case. From Gun Week of January 5 I submit a news article which outlines the story in detail and an editorial from the same publication entitled, "Justice's Double Standard." These are well worth the attention of my colleagues in the Congress. The items follow:

GOVERNMENT REFUSES TO PROSECUTE IN CHICAGO TRIBUNE GUN-BUYING CASE

The Federal Government has refused to prosecute one of the Chicago Tribune newspaper reporters involved in self-admitted violations of the 1968 Gun Control Act last June.

On Dec. 19, a Federal Grand Jury in Des Moines, Iowa, returned an indictment against Robert Harland Enstad, 34, of Chicago, charging him with making false statements to two Des Moines gun dealers while gathering information for a news story.

However, U.S. Attorney Allen Donielson refused to sign the indictment, which means no prosecution will be forthcoming. Donielson said his actions in refusing to sign the indictment were "approved" by the Justice Department in Washington.

Donielson said Enstad's alleged false statements to obtain handguns from Jay's Sales Co., and Ted's Shooters' Supply in Des Moines were "not a criminal misuse" of federal gun laws. Enstad "intentionally violated the laws to write a story—but not to commit a felony," Donielson said in an interview.

Donielson added that he felt Enstad showed "an atrocious lack of judgment" and was "totally irresponsible" in allegedly violating a law to do a story.

The story, which appeared in the Chicago Tribune on June 27, described how Enstad and another reporter, William Currie, 31, also of Chicago, bought handguns illegally in Iowa, Florida and Virginia in an attempt to show the ineffectiveness of existing gun control laws.

Under provisions of the Gun Control Act it is illegal for anyone except federally licensed dealers, importers and collectors to acquire handguns outside their state of residence. It also is a felony violation, punishable by five years' imprisonment and a \$5,000 fine, to knowingly make false statements to a dealer in order to obtain a firearm.

According to the Tribune's June 27 article, which was part of a lengthy series on gun controls, Enstad visited Jay's Sales Co., where he purchased a Colt automatic by using a fictitious address in Des Moines, although he admitted being told by the clerk, Mrs. Russell LaVine, that sales to out-of-state residents were illegal. Enstad said he used his Social Security number as identification on the 4473 Form required by federal law to be filled out by gun buyers. (See July 14 and July 28 issues of Gun Week.)

Later in the Tribune story, Enstad described how he used an Illinois driver's license—along with the fictitious Des Moines address—to obtain another handgun at Ted's Shooters' Supply in Des Moines.

"Another contraband weapon was on the street. The next day both weapons arrived in

Chicago via parcel post," the Tribune article said.

The Tribune, which has a long record of supporting restrictive gun control laws, drew irate responses from many Midwest gun dealers and gun owners as a result of the article.

"They must think they are above the law," said one Midwestern dealer, who urged that those responsible be prosecuted for violating federal law.

In answer to the sportsmen's protests, Tribune City Editor Dave Halvorsen told Gun Week, "We don't feel the Tribune is above the law. The Tribune has traditionally espoused the importance of abiding by the law. We sent two reporters out to demonstrate the ineffectiveness of the law."

Although the reporters admitted in their story that they violated several provisions of the 1968 Gun Control Act, Halvorsen attempted to justify their actions by saying:

"We feel that they acted in the interests of a very crucial issue now present in the country. This is the pros and cons of gun controls. Sometimes you have to take some extraordinary measures to demonstrate what can and cannot be done. It would have to be our rationale in putting together the whole package."

The "whole package" referred to by Halvorsen included a 10-part series of anti-gun articles printed periodically in June and July. Other reporters involved in compiling the series were identified by the Tribune as George Bliss, director, and Philip Caputo and Pamela Zekman.

Following Donielson's refusal to sign the indictment against Enstad, Grand Jury foreman Barbara Whitmer indicated that several members of the jury were "upset" about the U.S. Attorney's action. She said the Grand Jury made a "very thorough investigation" and their efforts were "a waste of time" if the government declined to prosecute.

Commenting on his refusal, Donielson said "the Grand Jury has a responsibility to decide whether they have probable cause to indict. I have a responsibility to decide whether to prosecute."

The separation of the powers of the Grand Jury and the prosecutor act as a check and balance, assuring "that neither may arbitrarily yield the awesome power to indict a person of a crime," Donielson said.

"It is indeed appalling when a member of society, simply because of his profession, can intentionally violate a statute of his country and then call for stronger laws in this area because the present laws are too weak," Donielson added.

Despite Donielson's claims, many gun owners viewed the Des Moines outcome as a result of political maneuvering between the Tribune and the Justice Department.

Although it is not common practice for prosecutors to refuse to prosecute if a grand jury hands down an indictment, it happens occasionally when the prosecutor feels he has insufficient evidence to warrant going to court. Gun Week learned from legal experts. However, when there is a self-admitted violation, such as was contained in the newspaper article, along with the signed 4473 Forms, evidence would not seem to be lacking in this instance.

Gun Week also learned that it is highly unusual for a prosecutor to present evidence of a crime to a grand jury without expecting to go to trial if an indictment is handed down.

One lawyer speculated that Donielson may have been directed by the Justice Department to hand the case to the Grand Jury, hoping it wouldn't indict. When it did, he had no other alternative than to refuse to sign the indictment.

JUSTICE'S DOUBLE STANDARD

It's okay to violate the Federal Gun Control Act of 1968—if you're a Chicago Tribune reporter. This seems to be what the Justice

Department was saying when it allowed the prosecutor in the case to refuse to sign the indictment against Robert Harland Enstad, 34, of Chicago. (See story on Page 1).

Item: Enstad, in a June 27 by-lined article in the Tribune, admitted falsifying his address to two gun dealers in order to buy handguns illegally in Des Moines, Iowa, and shipping the guns through the mail back to Chicago. Both acts constitute federal violations.

Item: William Currie, 31, another Tribune reporter from Chicago, admitted in the same article that he purchased handguns in Florida and Virginia in violation of GCA68. Additionally, he admitted to Gun Week staff members in a telephone interview that he knew such purchases were illegal.

Item: Both Enstad and Currie signed the required 4473 Forms when they made their illegal purchases.

Item: Several persons are currently residing in federal prison, or have been convicted and fined, because they broke the same law.

Therefore, we must conclude there is a special brand of justice that applies to Chicago Tribune newspaper reporters. Apparently they are exempt from prosecution for violating GCA68, if they do it to "demonstrate the ineffectiveness of the law."

We realize that prosecutors are sometimes justified in not going to trial in particular criminal cases, because of extenuating circumstances or lack of evidence. But, this is not one of those cases.

For one thing, it is grossly unfair to expect average citizens to comply with the restrictions contained in the 1968 Gun Control Act or any current law, if a certain select few are allowed to boast about having broken it with impunity. It is one thing to commit a felony through ignorance of the law, which has happened many times to unknowing gun owners, and yet another to plot and conspire to knowingly break the law for the purpose of writing a newspaper story.

It is a sad day in American jurisprudence when a U.S. Attorney, in this instance Allen Donielson, who is pledged to protect the interests of all citizens, simply refuses to prosecute, saying the reporters involved "intentionally violated the laws to write a story—but not to commit a felony." For Mr. Donielson's information, any violation of the Gun Control Act is felony and all of his semantical maneuvering cannot change the facts.

There are some, for various reasons, who disagree with Gun Week's position in wanting justice done. Some believe that the Gun Control Act is an unconstitutional law and should not be enforced, while others say no harm was done to anyone, and the matter should be allowed to drop. However, we see it from another viewpoint. In our July 14 editorial on the subject we said:

"If they (the Tribune reporters) are not charged and prosecuted, it will be an open invitation for other newspapers and other individuals to violate other laws 'to demonstrate the ineffectiveness of the law.' It is conceivable that some newspapers would choose to import heroin 'to demonstrate the ineffectiveness of the drug laws.' Or others might choose to violate gambling laws, or tax laws, or a myriad of other unpopular laws, simply to demonstrate that they can be violated. Eventually there would be total disrespect for all laws and our civilized society would revert into nothing more than a jungle."

We see no reason to alter that opinion!

But, at the same time, our opinion has been changed, and we fear the opinions of many law-abiding gun owners have been changed, regarding the fairness of the Justice Department's criteria for enforcing gun control laws. There seems to be a double standard—one standard for the average man and another one for reporters representing powerful big-city newspapers. It's a rotten situation, but then there are a lot of rotten

situations in the Federal Government where firearms controls are involved.

If the Justice Department chooses to excuse the GCA68 felony violations committed by the Chicago Tribune reporters, then it should free everyone sent to prison for violation of the act. Those who have been fined for violations should receive immediately refunds, plus interest. Also, no future prosecutions of anyone should be undertaken for violation of GCA68. That's what should be done! But, we all know it won't be! The Justice Department's double standard will prevent it!—ADJ

END THE WAR

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Ms. ABZUG. Mr. Speaker, many of us are shocked to hear the interpretation Mr. Nixon seems to have put upon his reelection. Rather than a mandate to make peace—which it certainly was—he seems to feel that he was given a free hand to bomb and destroy as he pleases. Those who criticize are called "irresponsible."

One of the administration's most persistent and reliable critics, the New York Times, expressed dismay in an editorial which I insert in the RECORD:

[From the New York Times, Jan. 9, 1973]

THREAT TO CONGRESS

The lecture read to the President's Congressional critics by Herbert G. Klein, the White House Director of Communications, spells out Mr. Nixon's determination not to brook interference with his conduct of either the war or the peace negotiations. In the process, political facts at home and military realities in Vietnam are to be bent to the President's will. If the truth stands in the way, the White House communicators blithely revise it.

No other interpretation can explain Mr. Klein's complaint that "irresponsible" Congressional critics of the President's course have forgotten that the election gave Mr. Nixon "a very clear mandate to proceed the way he has on Vietnam."

What precisely was the course that had been presented to the voters? On the battlefield, it was a course of steady disengagement. The bombing of the North had been halted. Peace was "at hand." The prisoners were thought to be within sight of returning home.

That was the course on which the President had "a very clear mandate to proceed." It bears no resemblance to the course since taken—the apparent reopening of the question of Saigon's sovereignty, implying a permanently divided Vietnam; the terror bombing; the tragic rise of American casualties and prisoners.

To the question whether the course for which he asked Congressional support might include renewed carpet bombing, Mr. Klein replied: "I would not rule out any tactic that is necessary to protect American lives or to carry out the military objectives which are essential."

By no stretch of the imagination could the recent terror raids have been termed necessary to protect American lives. It was the bombing that wantonly destroyed lives—of American airmen and Vietnamese civilians.

The threat to use "any tactic" to carry out Mr. Nixon's undefined "military objectives" must seem to the American people and the world as an awesome and unacceptable extension of Presidential power. It is an extension that is not rendered palatable by Mr. Klein's

vague assurance that Mr. Nixon considers himself fully accountable and will offer an explanation when he considers the time to be right in the best interest of peace.

Such an open-ended extension of the President's powers should clearly be unacceptable to Congress. To block rather than merely to criticize such a usurpation of power is—so far from being irresponsible—a constitutional responsibility the Congress has evaded long. The terror raids have stripped all credibility from the White House spokesmen's protestations that the President knows best and that not to let him have his way will jeopardize the negotiations.

Last year, Mr. Nixon impugned the patriotism of the nation's opinion-makers and business leaders for their failure to rally to such "difficult" Presidential decisions as mining the harbors and bombing the cities of North Vietnam. Now Mr. Klein has applied the same faulty doctrine to the nation's elected representatives by calling for "less rhetoric and more support in the Congress." To heed such a false warning would be tantamount to surrendering the Government of the United States to one-man rule.

CONGRESSMAN DOMINICK V. DANIELS HAILS "THE DISPATCH'S" 100 YEARS OF SERVICE TO THE PEOPLE OF NORTHERN NEW JERSEY

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Mr. DOMINICK V. DANIELS. Mr. Speaker, on January 1, 1973 the Hudson Dispatch of 400 38th Street, Union City, N.J., a great journalistic institution in northern New Jersey, has changed its name. The Hudson Dispatch has become known as merely "The Dispatch" reflecting the fact that this leading newspaper's influence extends far beyond the borders of Hudson County.

Mr. Speaker, on this occasion I would like to extend my best wishes to the Dispatch and my hope that it will continue to serve the people of northern New Jersey as it has for the past century and to publisher Robert L. Boyle, the bearer of a proud Jersey City name, and editor Henry G. Avery for the many improvements they have brought to this fine old newspaper.

A statement which appeared on January 1, 1973 in The Dispatch announcing the change follows:

It's "THE DISPATCH"

The top of today's front page looks different.

Why? Because the name of this newspaper today officially becomes The Dispatch, indicating its future concept of interest for the problems of North Jersey.

This paper will no longer be known as Hudson Dispatch, just as it is no longer called Hudson County Dispatch or Harrison Dispatch, other names it has borne during its almost 100 years of service to the people of this area.

A lot has changed since the post-Civil War years when The Dispatch first hit the streets, the work of an unknown founder, out East Newark way. And that was a one-page publication.

The first real records of the newspaper's history go back to 1874 when the paper moved to a nearby community and became known as the Harrison Dispatch.

A scant three years later, another move was under way, this time to Jersey City, where the publication was then called Hudson County Dispatch.

The then weekly newspaper continued its trek and wound up in old Union Hill and the first edition for the North Hudson area came off the press in 1890.

In 1912, other major changes came about. The paper went from a North Hudson afternoon publication to a morning daily, covering Jersey City and Hoboken as well.

This capacity, as Hudson County's only morning newspaper, continues to this day, although the presidents, publishers, editors and other staff members have changed, along with its physical size, the presses, its building and other equipment.

Expansion continued and in 1924, a Bergen County edition was added and it still meets the needs of both the reading and shopping segments of that area.

And so it has gone, change upon change to meet the changing public it services.

So, although a new name—The Dispatch—greet the new year, it is still your newspaper.

LEGISLATION TO PROTECT THE POLITICAL, SOCIAL, AND ECONOMIC WELFARE OF ALL AMERICANS

HON. H. JOHN HEINZ III

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Mr. HEINZ. Mr. Speaker, as we begin a new Congress, I am introducing several bills of particular importance to both my constituents in southwest Pennsylvania and, I believe, to all Americans.

These bills, all of which I have introduced or supported in the past, are designed to protect the political, social, and economic welfare of all Americans. To this end, I am proposing legislation covering a broad area of concerns, with particular emphasis on the problems of senior citizens, taxes and Government spending, control of pollution of all types, and personal safety and liberties of citizens.

SENIOR CITIZENS

1. SOCIAL SECURITY FOR THE WAGE EARNER

Clearly we must make some basic changes in our social security program to guarantee workers that their investment in the form of social security taxes paid will give them an adequate return when they retire, not a life of poverty after retirement.

The bill I am introducing goes far toward removing the threat of a bleak retirement for working people by effectively insuring the relative standard of living for those who have worked hard all their lives. This bill would provide higher benefits to those working people who have paid the most into the program over the longest period. Surely such a change in the present program is reasonable and equitable.

I believe we must guarantee minimum income support for aged Americans, the disabled, and for dependent survivors. We also must help moderate the decline in earning standards when the earnings of the family head drop or are lost through retirement, disability, or death.

I believe this bill will help bring true "social security for the wage earner."

2. SENIOR CITIZENS COMMUNITY CENTERS AND SERVICES ACT

In the last several years it has become all too clear that the special needs of older Americans are often overlooked. These needs include community and social services designed primarily to allow senior citizens to realize their full potential of their retirement years.

This bill, the "Senior Citizens Community Centers and Services Act," would tackle some of these problems by providing not only financial assistance for construction and operation of senior citizens' community centers, but transportation to centers as well.

3. RESOLUTION ESTABLISHING SELECT COMMITTEE ON AGING

The time is long overdue that the House of Representatives should formally recognize the special problems of our senior citizens by establishing a House Select Committee on Aging. Such a committee will provide a constant forum in which the problems of the elderly in America can be discussed and studied, and compassionate solutions formulated to the many dilemmas facing older Americans.

Without infringing upon the jurisdiction of any existing standing committee, this resolution would provide formal recognition to the problems of senior citizens. It should be passed by this body with all haste.

TAXES AND GOVERNMENT SPENDING AND EFFICIENCY

1. GOVERNMENT EXPENDITURES CEILING ACT

In the area of fiscal responsibility, we in Congress have a dual responsibility. In light of repeated budget deficits and continuing inflation, we must assert our responsibility to limit Federal expenditures during the present fiscal year. But we must accomplish this expenditure limitation through legislation which does not further enhance Presidential power at the expense of congressional authority and prerogatives.

My bill would limit Federal spending in the current fiscal year to \$250 billion. But it does not provide the President with the power to selectively cut programs as he sees fit. Rather, to the extent that congressional appropriations exceed \$250 billion, this bill would require pro rata reduction in all appropriations other than interest on the public debt and social security.

This approach provides an acceptable short-term solution to the complex and continuing problem of improved congressional control over the appropriations process.

2. TAX POLICY REVIEW ACT OF 1973

I have long believed that tax policy can be and should be used as a selective instrument of Government policy providing incentives or disincentives for various activities in the private sector. But past congressional actions on tax bills have slowly eroded the income tax base by providing and maintaining numerous tax preferences, many of which demand critical reexamination. The time has come for us to examine carefully and comprehensively the complete package of tax preferences with the intention of

eliminating or modifying those which can no longer be justified.

The Tax Policy Review Act of 1973 would assure careful congressional assessment of each tax preference by providing now for their termination over a 3-year period.

3. INTERGOVERNMENTAL COOPERATION ACT OF 1973

If we are to be effective in holding down Government expenditures ultimately we must ferret out all waste and inefficiency in Federal agencies and programs. This bill is designed to start us on the road to the reduction of such waste and inefficiency by taking several courses of action. These include provisions improving financial management of Federal assistance programs and facilitating the consolidation of such programs; strengthening further congressional review of Federal grants-in-aid; providing for a catalog of Federal assistance programs, and extending and amending the law relating to intergovernmental cooperation.

POLLUTION CONTROL TAX ACT OF 1973

This legislation would amend the U.S. Tax Code by imposing a tax on the discharge of pollutants into our Nation's air and water. Most important, this bill would place the burden of pollution control where it belongs—on the polluter, not on each and every taxpayer irrespective of whether or not he pollutes.

Another important feature about this bill is that it provides an incentive to reduce pollution below the standards contained in the Water Pollution Control Act and the Clean Air Act, as well as providing revenue to help pay for the Federal share of pollution abatement contained in these acts.

I believe the Pollution Control Tax Act of 1973, which I introduce today, is a reasonable, effective, and nondiscriminatory mechanism for dealing with the threats and problems posed by the pollution of our air and water. I hope my colleagues will assist in the speedy enactment of this bill.

PERSONAL SAFETY AND LIBERTIES

1. THE SAFE STATES ACT OF 1973

Between 1960 and 1970, major disasters were declared in 44 States. Yet only 14 of the 50 States have taken even minimal steps to prepare for disasters.

This legislation strengthens the Disaster Relief Act of 1970 to insure that the citizens of this country will be protected from natural disasters to the fullest possible extent. It provides, in part, for:

First, the establishment of minimum Federal standards for disaster preparedness;

Second, the development and maintenance by States of disaster preparedness plans in accordance with Federal standards;

Third, increase in the Federal contribution to States for development and maintenance of disaster plans; and

Fourth, the cancellation of all Federal disaster relief assistance to any State not meeting Federal disaster preparedness standards.

2. HIGHWAY SAFETY MAINTENANCE DEMONSTRATION PROJECT

I am again introducing a bill that would create ten project demonstration

sites across the country for the purpose of demonstrating different maintenance techniques for all the States. The sites selected will be determined by choosing those States that will provide various classes of highways, types of pavements, bases, and subbases, and those with different terrain, topography, and climatic conditions.

This demonstration project will provide to the States the most recent information on the best and most economically feasible techniques for maintaining our Nation's highways.

With almost 272,000 deaths caused by accidents on our Nation's highways in the past 5 years, there should be no further proof required to show that our highways safety must be improved. I believe we can do so without additional costs by improving construction and maintenance.

3. PRIVACY BILL

Many people find today that the privacy of their own home will not protect them or their children from receiving mail that is unsolicited, unwanted, objectionable, and in some cases obscene. This is a type of invasion of privacy that can and must be put to a stop.

The bill I present today is designed to protect the individual's right of privacy by prohibiting the sale or distribution of certain personal information. This particular bill, in effect, would give the individual the right to control what is known about him or her and insure that information collected for one purpose will not be used for another.

The right to privacy is one every American should enjoy. To deprive anyone of this right by denying control over what he or she receives through the mail should be illegal.

I hope the House will give this bill the immediate attention it deserves.

Mr. Speaker, these are the bills which I introduce at the beginning of this, the 93d Congress. Particularly in the fields of special security, pollution control, and Federal spending control, I plan to do all I can to see that the ideas in these bills will receive a full hearing both in and out of Congress. My intention is to generate as much public discussion, political analysis and, hopefully, support through speaking, writing, and otherwise exposing to interested groups and the public the fundamentally and strategically different approaches in each of these areas.

I am not particularly interested in seeing a bill with my name on it become law, and this is not my objective. What is more important is that these ideas are examined and debated and enacted into law when their time comes. It is my hope to hasten that time by working as hard as I am able to insure their early and full exposure.

THOMAS P. O'NEILL

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Mr. DRINAN. Mr. Speaker, I am delighted and honored to make available to

my colleagues an editorial broadcast on January 4, 1973, by WEEI, a CBS radio affiliate in Boston.

This editorial has given enthusiastic endorsement to our colleague and friend Congressman THOMAS P. O'NEILL upon his unanimous election to the position of House majority leader.

I and other members of the Massachusetts delegation take particular pleasure in the concluding sentence of the editorial where WEEI congratulates Congressman O'NEILL's "colleagues for seeing in the Massachusetts lawmaker the attributes his constituents at home have recognized for decades."

The WEEI editorial follows:

THOMAS P. O'NEILL, MAJORITY LEADER

Accepting the post of House Majority Leader, Massachusetts Congressman Thomas P. O'Neill quoted remarks made by Sam Rayburn 20 years ago. After he had been voted House Minority Leader, Rayburn said, "Any jackass can kick down a barn, but it takes a carpenter to build one." Said O'Neill the other day: "We intend in the 93rd Congress that the Democrats be the carpenters."

In WEEI's opinion, Washington needs carpenters very badly—especially on Capitol Hill. Recent years have seen a tremendous build-up of power in the executive branch of the federal government. This concentration of power at the White House has clearly been at the expense of Congress. And don't rush to blame President Nixon. The deterioration of Congressional muscle began before Mr. Nixon moved into the White House.

Majority Leader O'Neill says several goals can be accomplished if House Democrats become carpenters—or builders—of the nation's present and future. He says: "We can bring the war in Vietnam to an end. We can stop the erosion of the powers of Congress by the President. We can improve the image which the public has of Congress."

Those three goals represent a rather large target for a new Majority Leader but WEEI is confident that Congressman Thomas P. O'Neill is the right man for the job. Through his years of public service on Beacon Hill and in Washington, he has demonstrated a great ability to lead others toward worthy goals.

WEEI congratulates Congressman "Tip" O'Neill on his new position of leadership, and we congratulate his colleagues for seeing in the Massachusetts lawmaker the attributes his constituents at home have recognized for decades.

IN SUPPORT OF LEGISLATION INCREASING THE PERSONAL EXEMPTION FROM \$750 TO \$1,200

HON. TOM RAILSBACK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Mr. RAILSBACK. Mr. Speaker, I am cosponsoring legislation with Congressman QUILLLEN to amend the Internal Revenue Code of 1954 to increase the personal exemption from \$750 to \$1,200.

The personal exemption was set at \$750 for 1973 by the Tax Reform Act of 1969. Prior to the 1969 act the personal exemption was \$600, which was set in 1948. Since the cost of living had risen over 50 percent between 1948 and 1969, obviously the 25-percent increase to \$750 scheduled by the 1969 act was sadly lacking in achieving any sort of equality with the increased cost of living. The Revenue Act of 1971, which advanced the effective

tive date for the \$750 exemption, did not provide a remedy either since the cost of living rose 6 percent in 1970 and another 4 percent in 1971.

However, the authors of the Revenue Act of 1971 did recognize the straits the ordinary consumer was in. When they reported the bill, the tax writing committees stated that advancing the effective date of the increased personal exemption—coupled with other tax reduction provisions for individuals—was desirable because of the need to increase consumption to stimulate the economy and to aid those already severely burdened by inflation.

There is disagreement among tax theoreticians about the role the personal exemption is supposed to play in our tax laws. However, historical evidence points to the intent of Congress to allow a taxpayer sufficient income tax free to cover minimum living costs for himself and his dependents. Naturally, there is a problem in deciding just what constitutes sufficient income for Americans whose standard of living has risen steadily over the years.

Let us examine one of the guideposts available to determine what is needed to maintain different standards of living in America today. The Department of Labor has updated to autumn 1971 its four-person urban family budgets. These budgets are based on a survey of 39 metropolitan areas, four nonmetropolitan regions, and Anchorage, Alaska, to determine how much is required for a family of four to maintain different standards of living. The family of four is a hypothetical one consisting of a 33-year-old man with a steady job, a wife who does not work, a 13-year-old son, and an 8-year-old daughter. The budgets are illustrative of three different levels of living and provide for different specified types and amounts of goods and services. The budgets pertain to the urban family only, which has, for each budget level, average inventories of clothing, house furnishings, major durables, and other equipment. The average cost of a "lower" budget for this family was \$7,214; the cost of the "intermediate" budget was \$10,971; and the cost of the "higher" budget was \$15,905. Consumption items—food, housing, clothing, transportation, medical care, et cetera—came to 81 percent of the total lower level budget, 70 percent of the budget at the intermediate level, and 75 percent of the higher level budget.

These budgets are not intended to represent a minimum or subsistence level of living. But it is clear that since such a large proportion of each budget is allocated to the family's basic needs and most of the remainder goes to employment and income taxes, there is little room for those items which enhance the quality of living.

Since the children in this hypothetical family are under college age, the budgets contain practically nothing for higher education expenses. According to figures from the 1972-73 college costs survey conducted by the Life Insurance Agency Management Association, covering nearly 1,250 U.S. colleges and universities, the median cost for basic charges—tuition, fees, room, and board—at a publicly supported school for an out-of-State

student is approximately \$2,084 a year. For students attending college in their own States, the median charge is \$1,376. These figures include basic charges only. They do not include incidentals such as travel, recreation, laundry, and clothing.

I will not pretend my recommended increase to \$1,200 in the personal exemption will assure that every child who wants a college education can afford it. However, in some cases, the additional money could mean the difference between a family providing its members with a higher education or having them seek employment with only their high school education.

Sylvia Porter reported in August 1972 that at existing price levels, it will cost nearly \$100,000 to raise one child and send him through college. The yearly cost of rearing one child will be roughly 15 to 17 percent of the family income. The cost of feeding one child to age 18 will total \$8,500. The costs of supporting an 18-year-old will be roughly 30 to 45 percent higher than those for a 1-year-old.

These are awesome figures. We, as Members of Congress, must make sure that inflation and taxes do not force Americans to lower their standard of living. We must recognize that in an inflationary economy, such as ours has been in recent years, the effect of a personal exemption that stays at a constant amount is equivalent to a tax increase.

My proposal to increase the personal exemption to \$1,200 is, I believe, fiscally responsible, and is an important step toward alleviating the great burden imposed on the American taxpayer by the ever-rising cost of living. I urge immediate and favorable action on this legislation.

THE GREAT RAIN SCANDAL

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Mr. MICHEL. Mr. Speaker, as I was looking through this month's issue of the Farm Journal, I came across the following article which I commend to the attention of my colleagues without further comment. The article speaks for itself:

THE GREAT RAIN SCANDAL

The USDA knew that we'd have a rainy fall, but they kept it under their hat, congressmen are charging. Farmers who harvested late claim those who beat the bad weather had unfair advantage and reaped higher soybean prices.

Mud is flying in and out of the fields. USDA officials are accused of being "cozy" with the Weather Bureau, and of having advance information that this would be a wetter-than-normal harvest season.

Yet instead of sharing that information with farmers, USDA officials (allegedly) let the weather unfold a day at a time.

Secretary of Agriculture Earl Butz insists he had no idea how extensive or heavy the rains would be until he found water in the basement of his Indiana homestead. But inside sources say Butz bought 5-buckle boots in September.

Farmers who got their soybeans harvested early, before the price rise, maintain they had no prior knowledge of late-fall rains. "If we had, why wouldn't we have planted less

corn and more soybeans last spring? You don't think we're stupid, do you?" cracked an Illinois farmer as a CBS camera crew was shooting "The Great Rain Scandal" to be aired next week.

A big farmer in Indiana did admit under heavy questioning that his first-cousin who works at the Des Moines, Iowa airport phoned him one Saturday to say it was raining there, "but my decision to work on Sunday to finish harvest was my own idea," he testified.

A NFO official militantly told the same sub-committee, "We need a real dirt farmer Secretary who knows farmers' plight and will do something about the weather."

While Farm Bureau officials strongly objected to any government action against the weather, Farmer's Union called for a massive federal program for better weather control because "bad weather hurts small farmers a lot more than those dastardly corporate giants."

VIETNAM CHILDREN'S CARE AGENCY

HON. ROBERT W. KASTENMEIER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Mr. KASTENMEIER. Mr. Speaker, on January 3, I introduced H.R. 61, to establish the Vietnam Children's Care Agency. In the 92d Congress, both the House and the Senate accepted the Vietnam Children's Care Agency proposal, which I sponsored, as an amendment to the Foreign Assistance Act of 1972. Unfortunately, due to various differences between the House and Senate versions of the foreign aid bill which could not be resolved, the measure died when the 92d Congress adjourned.

The need for the Vietnam Children's Care Agency still exists. It is estimated that there are about 700,000 children in South Vietnam who are orphaned or abandoned as a result of the war. These children have suffered terribly during the course of the conflict, and many are victims of our military operations in South Vietnam. They will continue to suffer even more as our servicemen withdraw from that nation. The problem of caring for these youngsters is immense, far beyond the capabilities of the present South Vietnamese Government, and to abandon these young victims of the war would be cruel and inhumane. Thus, it is both necessary and appropriate that our Government begin to assume the moral obligation to help care for these children.

The Vietnam Children's Care Agency legislation authorizes \$5 million, most of which will be allocated for the establishment, improvement, and expansion of South Vietnamese day care centers, orphanages, hostels, school feeding programs, and related programs in health, welfare, and education for South Vietnamese children. A second purpose of this bill is directed toward those South Vietnamese children who have no family or guardians, and are, therefore, eligible for adoption, and for whom an acceptable home can be found in the United States. While emphasis will be focused on facilitating the adoption of the thousands of orphaned or abandoned children of American fathers, by no means does this exclude the adoption of all Vietnamese children who are homeless.

In the past, those Americans wishing to adopt Vietnamese children experienced interminable delays and were required to pay exorbitant fees. This measure would seek to untangle the bureaucratic snarl that has developed in the United States-Vietnamese adoption process and would serve to expedite procedures when any complications arise.

Mr. Speaker, the enactment of this legislation will represent the beginning of the commitment the United States must make in acknowledging our contribution to the suffering of these youngsters, and in assuming our responsibility to help these innocent children.

POLICE CHIEF NAMED TO PLANNING COUNCIL

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Mr. ASPIN. Mr. Speaker, Police Chief Bernard Colligan, a constituent of mine from the First District of Wisconsin was recently named by Gov. Patrick Lucey to be a member of the Southeast Wisconsin Criminal Justice Planning Council. This council is responsible for distributing Federal funds in the State and for improving the criminal justice system. With the experience that Chief Colligan has had in this field, I am sure that he will make a valuable contribution to this council. I would like to call to the attention of my colleagues an article concerning Chief Colligan and the council to which he has just been appointed:

POLICE CHIEF NAMED TO PLANNING COUNCIL

Police Chief Bernard Colligan is one of 18 persons in a six county area to be appointed to the Southeast Wisconsin Criminal Justice Planning council.

The non-partisan district appointment was made by Gov. Patrick Lucey earlier this month and is a part of the Wisconsin Council on Criminal Justice that was created under the omnibus crime control and safe streets act to distribute federal funds in the state and to improve the criminal justice system.

Presently the state council and its 10 affiliated district councils have 46 projects in 10 program areas involved in upgrading law enforcement personnel; prevention of crime with emphasis on public education, narcotics and dangerous drug education, prevention and treatment; prevention and control of juvenile delinquency; improvement of detection and apprehension of criminals through improved police communications, technology and equipment; educational programs on judicial and prosecution procedures and legal defense, and increase the effectiveness of corrections and rehabilitation, and reintegration of the offender into the community.

As mentioned previously, the state council has \$11½ million in funds to allocate to these specific areas. The district councils such as the one comprising Walworth, Racine, Kenosha, Ozaukee, Washington and Waukesha counties, will have responsibilities in studying funding requests from public and private agencies as well as initiating projects as needs are seen or planning dictates in the future. The district councils will be helping the state planning agency to decide on the allocations, which must be approved by the federal government.

Colligan, who is one of two appointees from Walworth county, is to attend a meet-

ing today in Waukesha to help the Southeast council make recommendations in fund allocations for the broad areas. Colligan has been police chief of Elkhorn since being appointed July 1, 1969. Formerly he had been with the Wisconsin motor vehicle department.

An organizational meeting of the southeast area was held last week in Racine, at which Lt. Roger Schoenfeld, of the Kenosha county sheriff's department was named chairman of the agency. The chairman, Lake Geneva Police Chief Robert Clapper and Colligan comprise three of the five law enforcement officers on the Southeast council. Other members include a judge, a juvenile court administrator, a social worker, a mayor, a county board chairman, a county board member, a district attorney and five citizens.

The new planning council is also expected to make committee appointments over the next few months for specialized program areas.

ACTION NEEDED TO PREVENT DEATHS FROM SMALL ARMS

HON. ROBERT MCCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Mr. MCCLORY. Mr. Speaker, the subject of gun control is one which has provided great controversy and frequent misunderstanding in the U.S. Congress and our State legislative bodies. While I have been sensitive to the need to preserve our constitutional right to possess and bear arms, I have become convinced that some national criteria should be established for identification and for the possession and use of pistols and revolvers.

Mr. Speaker, another shocking incident was reported in the New York Times of January 2, 1973, about a woman of 30 years of age who attempted to park her car and became enraged with a man driving another car who was trying to take the same parking space. This woman proceeded to fire at the persons in the other car, killing one person and wounding two others. She then sped away with her male companion. This incident was one of four such shootings which occurred during the early evening hours of January 1, 1973, in New York City.

A recent editorial in the Chicago Tribune of Wednesday, January 3, 1973, recounts several fatal experiences with handguns which might have been avoided by the enactment of some appropriate statutory regulation. The New Year's holiday deaths attributable to small arms are reported in the attached editorial:

SHOOTING IN THE NEW YEAR

The National Rifle Association and other opponents of strict gun control often remind us of the many justifiable uses of guns. We invite them to examine the grim uses to which police say these weapons were put in Chicago during the New Year holiday.

Six-year-old Elva Cano was shot and killed by her own father, who explained he was trying to unjam his .25 automatic when it accidentally fired. Ivan Manquial, 3, was shot and wounded by his father, who was firing a gun to celebrate New Year's Eve.

Mrs. Miyoka Holley, 23, was shot and killed during a New Year's argument with her husband. Jacqueline Nobel, 14, was shot and

wounded when a New Year's celebrant fired a gun in the direction of her window. Radisa Vojinov, 30, was found shot, killed, and robbed at a Douglas Park elevated station. A suspect was later arrested, carrying a .22 caliber pistol and Mr. Vojinov's wallet. Antonio Loza, 36, was shot and killed during an argument over a woman. Henry Judkins, 37, sitting alone in a bar, shot and killed himself.

Robert Ellis, 36, convicted robber and accused "Friday night rapist" of the Near North Side, was shot and killed by Ann Leybourne, a policewoman trainee. Ellis was free from the rape charges because of a questionable ruling by Criminal Court Judge Earl Strayhorn that identification of Ellis in a police lineup was inadmissible because there was no other person in the lineup with Ellis' hairline.

Ellis was killed with his own gun. According to Miss Leybourne, he had abducted her in her car at gunpoint. When his attention was distracted, she was able to shoot him once with her gun. When he knocked that away, she seized his gun and shot him three more times.

It was worth noting that all of the identified guns in these shootings were handguns; that Miss Leybourne, as a member of the police department, was the only one authorized to carry a gun [most of them apparently were not even registered]; and that the shooting in which she was involved was the only justifiable one in the bunch.

The lesson here is inescapable. If the possession of handguns were limited to those with a legitimate use for them, a great many unnecessary and senseless deaths might be prevented. And this will never be achieved if we don't start now by imposing strict controls on the availability of handguns and by more diligent application of existing stop and frisk laws.

While guns are praised for their usefulness in hunting and self-defense, they continue to be used for murder, robbery, suicide, and even New Year's noise-making. These tragic shootings were among the first of the year, but we're afraid they will not be the last.

ADMINISTRATOR TOM KLEPPE CONTINUES AS ADMINISTRATOR OF SMALL BUSINESS ADMINISTRATION, ASSURING CONTINUITY IN SMALL BUSINESS ASSISTANCE PROGRAMS

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Mr. EVINS of Tennessee. Mr. Speaker, I was pleased to note in the press recently that our former colleague, the Honorable Tom Kleppe, will continue as Administrator of the Small Business Administration. One of the great problems which our Small Business Committee has noted with respect to the operation of SBA has been the frequent changes in Administrators—SBA has had 11 Administrators since 1953.

Tom Kleppe is an able, energetic, and dedicated Administrator and champion of small business, and certainly I welcome the prospect of continuing to work with him and cooperate with Administrator Kleppe in the years ahead. His reappointment will assure continuity and experience in the office of SBA Administrator, which is needed in the public interest.

ZAUBER ON FREEDOM

HON. JAMES M. COLLINS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Mr. COLLINS. Mr. Speaker, out in the Oak Cliff suburb of Dallas, we have a progressive editor named Ray Zauber. He has an innovative mind and a strong belief in the principles that built our Republic.

Zauber writes a well-read column in his Oak Cliff Tribune. In a December 1972 issue he headlines a column called "Department of Freedom Our Proposal." It is a timely suggestion as Congress continues to build a more autocratic, all-powerful Federal Government, which takes away individual liberties. It is time that the cause of freedom had more outspoken friends in Washington. Here is the stimulating proposal from Ray Zauber in the Oak Cliff Tribune:

DEPARTMENT OF FREEDOM OUR PROPOSAL
(By Ray Zauber)

Scratchpad read somewhere last week that President Nixon is seriously considering the establishment of a Department of Peace.

Even though the Chief Executive has made many recent headlines about his determination to start hacking at the mammoth federal bureaucracy, the Peace Department proposal certainly strikes a responsive chord. At first blush.

The Vietnamese conflict has created deep fissures in our great society and has been a cause celebre for academe, the intelligentsia, the pacifists and the ultraliberals.

That determined minority of American voters who so often exercise control far beyond their actual numbers would undoubtedly find a peace secretariat providing a tempting target.

Imagine such a government division, headed by some egg-head of the George McGovern stripe and dedication, creating international headlines with idealistic and impractical suggestions for brotherly love among nations and races.

With our own tax funds to defray the cost, such a department could attract the largest congerie of kooks and oddballs ever assembled by any government of any nation. And we are the first to admit that Washington, D.C., has already attracted its share of weird ones.

Instead of a utopian agency which would change directions abruptly in the event of Ted Kennedy's election to the presidency, why not opt for a Department of Freedom?

Peace without freedom isn't worth the price unless the reader happens to sympathize with the "better red than dead" theory.

A Secretary of Freedom could be charged with a gigantic educational program to purge American history books. He could direct his energies toward rebuilding American ideal and reconstructing America's incomparable history.

American children could be taught that freedom is very dear and that the price is extremely costly. He could repeat the awesome chapters of America's great battles for independence and the never-ending vigilance which freedom has demanded.

President Nixon's thirst for peace is noble. The President's motives cannot be faulted, even if he has an eye cocked at the history books.

But peace is elusive. One nation, no matter how powerful or how well-intentioned, cannot maintain peace by itself. If the fellow

across the border starts shooting or exploding bombs, self-defense or annihilation are usually the options.

A Department of Peace, by logic and necessity, would attract pacifists. A Department of Freedom should attract patriots.

One department would be projecting a dream; the other would be offering practical programs for maintaining peace through strength.

Surely the citizens of the world must be cognizant of America's compassion and nobility. We have started no wars. We have helped our defeated enemies. We are Santa Claus to the entire globe.

But unless we remain free, a philosophy of government which is headed by tyrannical despots will eventually gain control of all men. The slavery of communism provides a very bleak future for the history of mankind.

The United States—almost standing alone—is the final bulwark between freedom and slavery.

A Department of Freedom, properly organized and purely motivated, could be the greatest legacy Richard Nixon could leave to future generations of America.

BERKELEY PROCLAIMS "PHIL CHENIER DAY" TO HONOR OUTSTANDING RESIDENT

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Mr. DELLUMS. Mr. Speaker, from time to time, amidst the turmoil and controversy that centers around the coming of age of each generation, a figure emerges who, for various reasons, stands out among peers, and who through sheer effort, dedication and hard work—through the dent of unusual character, personality and personal perspective, raises a symbol of hope and inspiration that cannot fail to attract our attention.

In the city of Berkeley, in recent years, such a young man emerged in the presence of Mr. Philip Chenier. He was born, raised, and educated in Berkeley, the son of proud parents, Gene and Peggy Chenier, who themselves are symbolic of what a family can do despite the disappointments of our social problems and the shortcomings of our urban environment. Phil always displayed a passion for work, commitment, and later, professional performance, that was truly remarkable. He excelled in basketball at Berkeley High School and the University of California, and in one and a half short years, has become an outstanding professional performer with the Baltimore Bullets.

Phil Chenier means something special to the city of Berkeley.

He should mean something to all the people of this country as they have an opportunity to learn of his signal achievements. It is to this end that I place in the CONGRESSIONAL RECORD a proclamation offered by the city of Berkeley through its mayor, the Honorable Warren Widener, in hopes that I may do my part in commending this young man, Mr. Phil Chenier, to the Nation:

PROCLAMATION

Whereas, the youth of the City of Berkeley are seldom offered inspiration for achievement in a public forum, and

Whereas, public recognition of talent and value generates such inspiration, and

Whereas, Philip Chenier, a native of the City of Berkeley, has exemplified himself in the field of professional sports and has a history of concern for and involvement with young people in the City of Berkeley, and

Whereas, a broad spectrum of Berkeley citizens have urged that such recognition be given to Philip Chenier for his athletic and scholastic achievements, as evidenced by his being the recipient of 63 trophies and 204 scholarship offers at the age of 17.

Now, therefore, be it resolved, that I, Warren Widener, Mayor of the City of Berkeley, do hereby proclaim January 12, 1973 Philip Chenier Day in recognition of his talent and achievement in the field of professional sports and in recognition of the dearth of opportunities for motivation of Berkeley youth in a public forum.

AMERICAN HUNGARIAN FEDERATION SHOWS DEEP CONCERN FOR THE PROBLEMS OF EAST CENTRAL EUROPE

HON. GERALD R. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Mr. GERALD R. FORD. Mr. Speaker, on November 4, 1972, the American Hungarian Federation at its quadrennial convention in Philadelphia unanimously adopted a resolution calling for support of the administration's policies on freer movement of ideas and true reciprocity of cultural relations with East Central Europe and the Soviet Union.

The resolution also referred to the principles laid down for international relations by the United States and the Soviet Union and reminded us that we must be watchful lest U.S. policy be misconstrued by the Soviets for the purpose of preventing free political development in East Central Europe.

With this caution in mind, I think it can be said that developments in recent years have created such a degree of mutual recognition of essential interests between East and West that East-West relations can be put on a quantitatively new level by expanding the areas of cooperation. These new conditions have been created both at the level of the superpowers and by West European diplomacy.

Besides mutual force reductions and possibly an enlarged SALT II, a future European Conference for Security and Cooperation is now at the center of attention as a possible means to initiate institutionalized East-West cooperation in various fields.

There is little doubt that the chances for immediate steps in East-West cooperation have improved significantly. But only concrete negotiations based on the realities of the situation in East Central Europe will show whether the rising hopes can be fulfilled.

I share the deep concern of the Amer-

ican Hungarian Federation for the problems of East Central Europe. We must be ever mindful of the consequences of any actions we may take concerning that area.

COMMEMORATING THE 50TH ANNIVERSARY OF SOUTH GATE, CALIF.

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Mr. ANDERSON of California. Mr. Speaker, on January 20, the city of South Gate, Calif.—the Azalea City—will celebrate its 50th anniversary as an incorporated city.

Formerly a part of the old Rancho San Antonio, with caballeros, vaqueros, Indians, and cowboys, South Gate's meteoric rise has been phenomenal. For this area contained only vast fields of cauliflower and barley until December 14, 1917, when Mr. and Mrs. C. J. Tope moved into the first house of what is now a thriving community of over 58,000 residents.

By December 1919, over 125 homes had been constructed, and the population had grown to approximately 500 residents. In addition, the residents established a local school which had an enrollment of 52 students.

The early settlers soon organized the South Gate Improvement Club, which met every 2 weeks. Two of its members, Mrs. Tope and Mrs. Shook, felt that a church was needed in the community, and on July 18, 1921, the South Gate Gardens Community Presbyterian Church was organized, composed of 30 or 40 members, representing 12 denominations.

By autumn of 1922, the local citizens felt that their infant community had reached the stage of incorporation. A petition for incorporating the town of South Gate, signed by more than 50 qualified electors, was presented to the board of supervisors. To determine the will of the voters, an election was held on January 2, 1923, and a majority favored incorporation.

A board of trustees was elected, consisting of I. W. Lampman, J. H. Woods, C. A. Shaw, Frank A. Moore, and Agnes W. Foster. Mr. G. H. Hurd and Mr. James W. Shope were South Gate's first city clerk and city treasurer, respectively.

However, the city's official birthday is January 20, 1923—the day Frank C. Jordan, the secretary of the State of California, certified South Gate, with 2,500 residents, as an incorporated city.

During the first year of incorporation, the growing community established its own form of public transportation, consisting of an antiquated Maxwell, driven by Mrs. Nina Murray, who cruised south on Seville Avenue to Liberty Boulevard, east on Liberty to Otis Avenue, and return.

The following year, 1924, South Gate organized its first police department, and dedicated the South Gate City Hall, at Post and Victoria.

By the end of 1930, South Gate's population had grown to 19,632 and possessed a taxable wealth of over \$14.5 million. New industry continued to move into the city, and practically all of the streets were well paved and studded with ornamental light standards.

Due to the progressive leadership, favorable and pleasant surroundings, and dedicated, hardworking citizens, the city of South Gate has prospered and has continued to lead the way for other cities. The beautiful parks, balanced industrial, commercial and residential growth, superior schools, and the active and talented residents have brought South Gate, with a background of romance and adventure, into an era of impressive success.

Under the watchful eye of their dedicated mayor, Frank Gafkowsky, Jr., and Vice Mayor Don Sawyer, with the guidance of a talented city council, composed of Ruth E. Wakefield, Harold Prukop, and Bill L. Cox, and with devoted public servants, such as City Clerk Dorothy McGaffey, and Treasurer Flora McClure, South Gate's future is as bright as her past.

Mr. Speaker, it is with great pride that I take note of the great accomplishments of the people of South Gate, and I salute her for her 50 years of progress which have led to a community that combines the best qualities and advantages of California living.

PANAMA CANAL: HEART OF AMERICA'S SECURITY—REVIEWED IN LITHUANIAN LANGUAGE NEWS-PAPERS

HON. DANIEL J. FLOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Mr. FLOOD. Mr. Speaker, those who have followed my addresses in the Congress know that over many years two of my major interests have been captive nations and the interoceanic canal question. It was, therefore, most appropriate that the prominent Lithuanian language newspaper Darbininkas published a review of the important 1972 book by Jon P. Speller on "The Panama Canal: Heart of America's Security."

In addition to his years of study of problems of hemispheric defense and Panama Canal, Mr. Speller, as the personal secretary to the late Comdr. Sergius M. Riis, former League of Nations adviser to the Baltic States, has had a very active interest in those countries. He is now executive editor of the international magazine, East Europe.

The review of the Speller volume was written by former Lithuanian Minister of Agriculture Juozas Audenas, vice president of the Supreme Committee for the Liberation of Lithuania. Dr. Bronis J. Kaslas mentioned in the review is professor of history, Wilkes College, Wilkes-Barre, Pa.

A translation of the indicated review follows as part of my remarks:

[Translation from Lithuanian]

A BOOK ON THE PANAMA CANAL—"THE PANAMA CANAL: HEART OF AMERICA'S SECURITY"

This book has been written by Mr. Jon P. Speller, editor of the *East Europe* magazine.

The book contains six chapters, enclosures, and bibliography. The author exposes the following basic ideas: (a) The United States of America have the sovereign rights to Panama Canal; (b) Joining two oceans—the Atlantic with the Pacific—the Panama Canal is the heart of America's security.

Supporting his thesis by numerous documents, the author is proving the legal and practical aspects of this important problem. If the administration of the Canal falls into some other hands, there is no doubt that the Soviet Navy will start demonstrating in the areas of the South American continent, too.

The book is illustrated, hard cover, beautifully printed. It was published by Robert Speller & Sons Publishers, Inc., 10 East 23rd Street, New York, N.Y. 10010. Price \$5.95.

America's security is of a paramount importance to all people of this country, among them to Lithuanians. The same publishers are to print also the documentary history of the Soviet-Russian and Nazi-German conspiracy against Lithuania, prepared by the Supreme Committee for the Liberation of Lithuania and edited by Dr. Bronis Kaslas.

DARBININKAS.

BALDWIN AND ROBERTS HEAD LAW ENFORCEMENT YOUNG ADULT PROGRAM

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Mr. ASPIN. Mr. Speaker, two constituents of mine were recently elected temporary copresidents of the newly organized young adult program of the Evansville Police Department in Wisconsin. I commend these men for their participation in this program. Communication and understanding between youth and law enforcement officials is greatly needed and hopefully this organization can help fill this need.

I would like to call to the attention of my colleagues an article which details more fully this new organization and the positions these fine men will hold in it: [From the Evansville Review, Dec. 28, 1972]

BALDWIN AND ROBERTS HEAD LAW ENFORCEMENT YOUNG ADULT PROGRAM

Paul Baldwin and Roger Roberts were elected temporary co-presidents of the newly organized young adult program of the Evansville Police Department.

Thirteen youths attended the first organizational meeting Monday evening at the local municipal building. Several more youths are known to have interest in joining this unique group.

To assist youths not at Monday's meeting to still be eligible for charter membership a followup meeting has been set for Thursday, Dec. 28 at 7:30 pm. at the municipal building. Charter registration fee is \$2.50 per year.

At Monday night's session Police Chief Richard Luers explained the relationship between his department and Exploring B.S.A., through which the national charter is granted. He likewise explained many aspects of law enforcement as future programming ideas, as well as how he and his own officers are involved in this program.

Explorer Post 501, specializing in Law Enforcement is now a reality. The following young adults attended the first meeting and voted to fully organize this on-going program: Baldwin Roberts, Pamela Scidmore, Brad Shoemaker, Gerald Lange, Don Miller, Bill Olson, Dan Jones, Rich Neuschwander, William Olmsted, Don McNamer, Barry Lange and Randy Crans.

The group is open to any youth 15-20 years of age. Those interested are asked to attend the Dec. 28 meeting.

THE RIGHT TO TRAVEL

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Ms. ABZUG. Mr. Speaker, I rise to take note of what I deem a most unfortunate use of the CONGRESSIONAL RECORD. Recently, the senior Senator from Mississippi inserted into the RECORD a list of Americans who had allegedly traveled to Cuba to cut sugar cane and to meet the Cuban people. This list was broken down by States, and included the names and addresses of the individuals said to have taken this trip.

We are all living together on this earth—Americans, Cubans, Russians, Chinese, French, Indian, Congolese, women, men, young and old. People from different nations, different political and economic systems, and different walks of life should take every opportunity to meet and to try to bridge the gaps that separate them from one another. I have supported the efforts of our Government to open lines of communication with the Soviet Union and the Peoples Republic of China, and I also support those who are seeking to open lines of communication with Cuba.

We are very proud of our democracy and often boast that it is the best political system around. If we are really sure of that, we should allow our citizens to travel to all the countries of the world without fear that they will somehow be tainted by the experience.

Senator EASTLAND's insertion into the RECORD constitutes a deliberate attempt to punish these individuals for their interest in visiting a country with an economic system different from ours. It seeks to chill their exercise of their right to travel and their desire to learn about other countries of our world.

I am one American who believes in the ultimate wisdom of the people, and I believe that the people must have free access to knowledge about the state of the world, not only as spoon fed to them by the public relations offices of the White House, the Department of State, and the Department of Defense, but also through firsthand access and observation.

I regret this attack on the group who visited Cuba and hope that it will not deter other Americans from making their own firsthand observations of our neighbor nation and other nations all over the world.

CXIX—46—Part 1

FACTS CONCERNING AMNESTY FOR DRAFT DODGERS

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Mr. FISHER. Mrs. Speaker, the issue concerning amnesty for draft dodgers and deserters may be projected again. The American people have made it clear they want no part of amnesty for those who chose other lands instead of serving their own country.

As evidence of public opinion on this subject, in response to a question—"Do you favor amnesty for draft dodgers?" submitted to every registered voter in my district, 9.1 percent registered approval and 88.7 percent gave a negative answer.

Under leave to extend my remarks, I include an excellent statement on amnesty by Wayne J. Thorburn, executive director of Young Americans for Freedom, presented to the Democratic National Convention Platform Committee last June. It follows:

STATEMENT BY WAYNE J. THORBURN

The membership of Young Americans for Freedom includes many veterans of the Vietnam War. While YAF has not taken an official position on amnesty for deserters and draft dodgers, I believe that the following statement accurately reflects the sentiments of those veterans and most of our members: We would not favor amnesty.

The reasons for our position are several. First and most important, to permit amnesty is, in effect, to say, "If you think a law is immoral, break it, because you may very well find that society changes its mind, forgives you and does not punish you." More simply it says, "You were completely right to disobey the law."

As conservatives, we in YAF believe in individual freedom, yet we are also aware that the concept of government becomes meaningless if individuals are free to pick and choose those laws they will obey and those they will disobey. While those who have decided that the Vietnam War is totally immoral and indefensible may brush this argument aside, I suggest they ask themselves if they would so readily forgive a white racist who follows his conscience and blows up a black church, or on a more mundane level, excuse those whose consciences told them a given government program was immoral and therefore refused to pay the taxes to support it (in which case we as conservatives would be paying very few taxes indeed.) To permit this is to permit a government of whim, not law.

What I am suggesting then, is not that amnesty is right or wrong depending on whether the Vietnam War is right or wrong, but that it is wrong because it makes a mockery of the concept of law and government. It is one thing to disobey a law because one feels it is immoral, but it is quite another to expect the society that made the law not to punish one for that disobedience. Henry David Thoreau and Martin Luther King expected to go to jail when they violated the law; their concept of civil disobedience was not that of those who request amnesty, nor could it be if we are to have a society of order rather than anarchy.

Second, one must consider the effect of amnesty on the more than two million men who obeyed the law and served in Vietnam. I believe that all but a very vocal, and very small minority of these men felt that in

America, with its free speech and democratic system, there were ways to correct bad laws and bad policies without breaking the law, and that both duty and honor compelled them to serve if called. Amnesty would indicate to them—those who survived, anyway—that they need not have risked their lives, that there was nothing dishonorable about deserting or evading the draft, that they should feel free to ignore the policies of their country. In addition to its effect on them, what kind of precedent would amnesty set for those future generations that might be called upon for similar sacrifices.

Third, and I inject this into the discussion only because those advocating amnesty seem to think it a major consideration, there remain many in this country who do not consider the war immoral or indefensible, and I think this includes many who would like to see the U.S. withdraw from Vietnam posthaste. One can reach that conclusion—the conclusion that Vietnam is not worth the sacrifices of blood and treasure—and still believe that our motives there were moral; that the South Vietnamese would be better off if the Communists lost than if they won; that America has not made atrocities a policy, while the other side frequently has; that our position in the world will be weakened, as John Kennedy was aware, by Communist domination of Indochina. In sum, to say that most Americans now believe that Vietnam was a mistake is not to say that they accept the reasons offered by deserters and draft dodgers as to why it was a mistake, or want those deserters and draft dodgers to be forgiven.

Finally, the argument is made that amnesty was granted after some previous wars. We would note, first, that the Civil War was just that, a civil war, unique and not to be compared with Vietnam. We would note, second, that in neither World War I or World War II was the question one of forgiving thousands of men who of their own volition fled their country. We would note, third, that President Truman had an elaborate mechanism to decide amnesty on the basis of individual cases. We would note, fourth, the question is not whether it was done in the past but, whether it should have been done then or now.

In conclusion, for a variety of reasons, but primarily because for a democratic government to be viable its citizens cannot pick and choose what laws they will obey and what laws they will ignore, most of us in Young Americans for Freedom oppose amnesty.

WILLIAMSPORT MAN RISKS LIFE TO SAVE DROWNING WOMAN

HON. GOODLOE E. BYRON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Mr. BYRON. Mr. Speaker, occasionally an example of heroism comes to light that shows a deep concern for human life and involves actions of great resolution and strength. Recently in Williamsport, Md., John W. Martin rescued a woman who had jumped from a bridge into the Potomac River. I would like to commend him for his courage and his concern for human life.

The following article from the Hagerstown Daily Mail by Tom Ferraro gives the dramatic story of this successful rescue:

MAN RESCUES WOMAN FROM RIVER

(By Tom Ferraro)

John W. Martin strolled by the Potomac River bridge at Williamsport early Wednesday afternoon on his way to help his uncle repair a car.

His walk was interrupted, however. He stopped to save the life of a woman who apparently tried to commit suicide by jumping from the span.

"I saw this red flash plunge off the bridge and into the water . . . I could hear it smack," he recalls.

"I thought, 'my God, did someone jump off?'"

Martin, 26, ran onto the bridge, some 100 feet above the cold, fast water, and spotted the 52-year-old woman below.

"I saw her arms flash up twice. She bobbed up and down in the water . . . and then went under."

The rural Williamsport man raced to the river bank, pulling his shirt and boots off on the way.

"I just started swimming. The only thing I thought about was saving her life. She must need help."

The current was strong, but Martin, an able swimmer, churned through the water. Finally, after battling the cold and current for about 10 minutes, he reached her.

"She was mumbling. She seemed terrified," he says.

He grabbed her and started for the shore. They quickly began drifting downstream toward the waterfall located about 300 feet away.

"I saw out of the corner of my eye the tall trees that told me we were getting near the falls. I recalled from my childhood that many people died from it."

Martin's wind grew short. His back ached. His arms and legs seemed like dead weight.

"I thought I was going to die," he says, recalling the event in a quiet voice. "I didn't think we were both going to make it. I was scared. Real scared."

"I decided to leave her and save my own life. But then I changed my mind. I couldn't let her die."

The woman didn't struggle. She only mumbled and cried.

Martin pushed, pulled and shoved her 140-pound frame toward shore. Despite the current, he was beginning to make progress.

After 20 minutes of struggling, he saw the bank only 20 feet away. Breathless, he tried to stand, but the water was too deep.

He kept on, finally pushing the woman within an arm's length of land.

Two men who had witnessed much of the rescue yanked both ashore.

"They had her up first . . . and then me. I fell to the ground. I couldn't walk and could hardly move. All of a sudden I realized how cold the water must have been. My arms, hands and toes began stinging."

Within moments, an ambulance arrived. Martin and the woman were rushed to Washington County Hospital.

On the way, the woman leaned over and said to Martin, "Why didn't you let me die?"

Martin didn't reply. He said he thought, "She must need help. She must need mental attention. I hope she's cured so some day, perhaps, she'll want to live again."

Martin and the woman were treated at the hospital for cold and shock. Martin was released in good condition. The woman was also reported in good condition and then transferred to a state hospital in Baltimore.

Police said the woman was released from the hospital hours before her attempted suicide. They said she had been sent there after an earlier suicide attempt.

RESIGNATION OF ROBERT M. BALL

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Mr. LONG of Maryland. Mr. Speaker, the President has accepted the resignation of Robert M. Ball from his post as Commissioner of Social Security. Mr. Ball has spent 30 years in the service of our Federal Government.

He earned his baccalaureate degree in 1935 and his master of arts in 1936, both in economics, from Wesleyan University in Connecticut. In 1939, Mr. Ball joined the old Social Security Board as a field representative. By 1953, he had advanced to the position of Deputy Director, Bureau of Old Age and Survivors' Insurance.

When the Social Security Administration was created in 1962, Bob Ball became its first Commissioner. He has served in his present position for almost 11 years.

I wrote President Nixon to let him know of my deep regret that he had accepted the Commissioner's resignation. I would like to share my letter with you, as I feel it expresses the admiration of many of us for the outstanding job Mr. Ball has done as Commissioner:

HOUSE OF REPRESENTATIVES,

Washington, D.C., January 9, 1973.

HON. RICHARD M. NIXON,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: I have learned with great regret that you are accepting the resignation of Robert M. Ball, Commissioner of Social Security for almost 11 years, effective upon the naming of his successor.

During the 11 years Commissioner Ball has headed up the Social Security Administration, its workload has grown remarkably. The workforce of 33,000 in 1962 is now at 52,000. Checks went to 18.1 million people in 1962; they now go to 24.8 million individuals each month. Those checks totalled \$1.2 billion each month in 1962; today \$3.9 billion is paid out each month under Commissioner Ball's supervision. The physical expansion of Social Security Headquarters in Baltimore echoes the expansion of the Social Security program, to encompass such major new developments as Medicare and such ongoing programs as disability insurance and Special Age 72 payments for the elderly who did not have the opportunity to gain Social Security coverage, to name just a few.

Throughout his tenure, Commissioner Ball has kept the operation of the Social Security Administration at an admirably high level. The payments his Administration makes and the cases it adjudicates touch the lives of every citizen who has an older or disabled relative. The Commissioner's personal contribution to the high calibre of this service has been marked by the Rockefeller Public Service Award and the praises of the National Civil Service League, which have commended him not only for his acknowledged expertise in the pension and social welfare field but for his administrative prowess.

In addition, the Commissioner has earned the respect and admiration of those Members of Congress who have worked with him through the past two decades in writing the significant legislation of our Social Security program. His readiness to aid Members of Congress and the Senate in their understanding of these programs and in the resolution

of their constituents' problems sets a high standard not only for his successor but for other agencies of the Executive Branch.

It will be essential in the coming months and years to have a man at the helm of the Social Security Administration with the wisdom, experience and expertise of Robert Ball. He has given thirty very productive years to his country in the Federal civil service, but I am sure you join me in the hope that he will continue to use his experience in the pension and social welfare field to the advantage of us all. He is one of the talented people who are a scarce national resource; I wish you well in finding as capable and talented a man to succeed him.

Warm regards,

CLARENCE D. LONG.

MASON ELECTED ASSOCIATION PRESIDENT

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Mr. ASPIN. Mr. Speaker, a constituent of mine, David J. Mason was recently elected president of the Greater Beloit Association of Commerce. Mr. Mason has been active in civic and community affairs for many years and I congratulate him on his recent election. I am sure he will be a great contributor to this organization. I am happy to bring to the attention of my colleagues an article which details Mr. Mason's accomplishments:

MASON ELECTED ASSOCIATION OF COMMERCE PRESIDENT

David J. Mason is the 1973 president of the Greater Beloit Association of Commerce.

Mason, a Beloit native, is assistant to the president and secretary of Beloit College and has been active in civic affairs of the community.

He is one of the few educators ever to serve as president of the GBAC.

Directors of the association chose Mason to succeed Donald P. Goffon as president during their annual meeting Friday at Rocco's Supper Club.

Goffon, district manager of the Wisconsin Power & Light Co., will remain active in association leadership as immediate past president.

Officers serving with Mason, who comprised the Association's executive committee, are Joseph DeNucci, general manager of Universal Foods, president-elect; Richard Reul, general manager of the Beloit exchange of the Wisconsin Telephone Company, vice president; James Cleary, Beloit State Bank vice president, treasurer; Larry Raymer, secretary and executive vice president, and Goffon.

MEETING JANUARY 18

The new officers will be introduced at the association's annual membership dinner Jan. 18 at the Plantation Motor Inn. Tickets for the 7 p.m. event are on sale, and a turnout of upwards of 450 is expected.

Seated as new directors following their election by the Association membership in a mail vote are Carl Lund, executive vice president of Kantor Pepsi-Cola Bottling Company; Everett Haskell, president of the Haskell Agency; Richard Oster, an administrator with Blackhawk Tech, and Harold Tower, treasurer of Beloit Corporation.

Retiring directors are William Schmitz, president of Freeman Shoe Company; Tom Burke, Beloit Corporation executive; Attor-

ney Leo H. Hansen, and Dr. Edward Jones. Each has served two terms of two years.

Named to the board as ex-officio members are H. Herbert Holt, Beloit city manager; Gary Pierce, Mayor of South Beloit; Arthur Kind, chairman of the Town of Beloit; Christie Thomson, president of the Women's Division of the GBAC, and Richard Konicek, executive director of the Greater Beloit Economic Development Corporation.

DIRECTORS LISTED

Holdover directors, comprising the remainder of the GBAC board, include Ted Stevenson, Fairbanks Morse vice president; Mary Divine Leindorf, president of First Savings and Loan in South Beloit; W. Richard Gerhard, CPA; Virgil Waelti, Beloit Memorial Hospital administrator; Carl Yagla of Yagla's Camera and Television; Bill Bryden, chairman of Bryden Motors, Inc.; Bob Cox of A. B. Cox & Son, and Paul Anderson of Anderson's Jewelry.

Gordy Wermager, manager of Weise's department store; Dr. H. Daniel Green, Victor Emilson, an account executive with The Beloit State Bank; Bill Storm, president of the Jaycees, and Jack Brusberg, president of the Downtown Council and of Brusberg's Furniture.

During the last year, Mason was vice president of the GBAC and cochairman of the association's legislative committee. He has been active over the years in many other community service programs and civic and cultural organizations, including service as an officer or director of the American Red Cross, Beloit Area Council of Churches, American Cancer Society, Beloit Festival, Inc., the Downtown Gallery, Beloit PTA Council, Boy Scouts of America, and Beloit's All-America City committee. A former secretary of the Calvary Lutheran Church, he presently is secretary-treasurer of the Beloit Cooperative Ministry.

Prior to being named to his present position at Beloit College, Mason was the school's director of public relations and a member of the English department faculty. He formerly was a member of the editorial staff of the Beloit Daily News. In addition to holding the B.A. degree from Beloit College, he has a master's degree from Columbia University. He is a member of the American College Public Relations Association, Phi Beta Kappa, and the Sigma Chi fraternity. During World War II, he was twice wounded in action while serving with the infantry in Europe.

Mason and his wife, Gloria, live at 2110 W. Collingswood Drive. They have two children, Holly, 17 and Keith, 14. His parents are Mr. and Mrs. R. V. Mason, 1152 Eaton Ave.

BENJAMIN FRANKLIN

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Mr. EILBERG. Mr. Speaker, on Wednesday, January 17, 1973, our fellow citizens will observe the 267th anniversary of the birth of Benjamin Franklin, the first major diplomat and member of a foreign service of our country, our first Postmaster General, founder of hospitals and universities in Philadelphia, and truly a citizen of the world.

Again, on this date, the Poor Richard Club of Philadelphia will conduct its annual Franklin Pilgrimage to the historic shrines of colonial Philadelphia which

commemorate the contributions which Benjamin Franklin made to this country.

The members of the Poor Richard Club, which is the oldest and most widely recognized organization of men and women in the communications arts and industry—joined by a representative of the President of the United States, the Governor of Pennsylvania, the mayor of Philadelphia, and a number of the historic and learned societies of Philadelphia will visit Benjamin Franklin's grave, Christ Church, the memorial to Benjamin Franklin at the site of the first fire station in Philadelphia, Independence Hall, and the Franklin Institute—carrying out a program of historic tribute to this great statesman.

On the evening of January 17 the Poor Richard Club will hold its 67th annual banquet at the Bellevue-Stratford Hotel in Philadelphia at which time they will present their Gold Medal of Achievement to a truly distinguished citizen of Philadelphia.

This award is one of the prize awards of many years in the field of communications and communications media throughout the United States. Previous recipients include President Richard M. Nixon; Generals Dwight D. Eisenhower, Douglas MacArthur, Henry M. "Hap" Arnold, and a number of figures in the industrial world, including Henry Ford, Clare Booth Luce, John Knight—executive editor of the Knight newspapers—Gen. David Sarnoff and his son, Robert; Walt Disney, and Bob Hope.

This year's recipient is Mr. John T. Gurash, chairman of the board and president of the INA Corp.

Mr. Gurash's responsibilities, apart from INA, call for his efforts as director or trustee of the Compagnie Financiere de Suez, the Adela Investment Co. S.A., the Girard Co. of Philadelphia Savings Fund Society, the Thomas Jefferson University Hospital, the national council of Pomona College, the Citizens Conference on State Legislatures.

Philadelphia benefits from his service with the crime commission of Philadelphia, the Philadelphia Orchestra Association, the Greater Philadelphia Movement, the World Affairs Council, the Navy League.

His leadership of the distinguished civic group which studies and reported the financial needs of schools in the Philadelphia Archdiocese in 1927 has been nationally recognized as the most definite study of the relationship between private elementary and secondary schools and their contribution to the community.

Mr. Gurash has been previously honored with the Gold Medal of the Netherlands Society, the American Jewish Committee, and an honorary degree by Vilanova University.

He merits, deservedly and richly, to take his place among the illustrious recipients of the Gold Medal of the Poor Richard Club.

I believe, Mr. Speaker, it is fitting for us to recognize both the contributions of Mr. Gurash to this country and, at the same time, the tremendous contributions

which the Poor Richard Club has made in the field of communications and community service throughout all of these years. This club merits recognition for its initial sponsorship of the Franklin Institute, the formation of the better business bureau, and their work in the preservation of the historic shrines in Philadelphia including their contribution to Christ Church.

ABOLITION OF THE ELECTORAL COLLEGE

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Mr. VANIK. Mr. Speaker, once again, as Members of Congress, we were confronted last Saturday with the archaic task of supervising the vote of the electoral college. The narrow margin of victory in the presidential election of 1968 provided clear insights into the weaknesses of our system of presidential electors. The time appeared ripe for electoral reform. A proposal which would have done away with the system of electors altogether, passed the House in 1970 but died in the Senate.

The need for change has only grown more real with the passage of time. We must look not only toward the abolition of the electoral college, but also to the streamlining of the procedures of choosing candidates through the establishment of a national primary.

The inequities of the electoral process are perhaps the most serious shortcoming that the American Constitution—one of the world's finest political documents—contains. The provision for the electoral college is contrary to the spirit and the letter of the heart of democracy—the principle of one man, one vote.

The Constitution presently provides that each State, "shall appoint—a number of electors equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress." This scheme can only distort the integrity of the electoral process. For example, in my own State of Ohio, 10 million citizens control 26 electoral votes. But if you add up similar totals for the 16 least populous States, you find that their aggregate of 10 million people control the votes of 58 presidential electors. In essence, one citizen's vote can weigh twice as much in a national election as another citizen's vote.

The cumbersome electoral college can lead to other more nightmarish happenings. In 1968 a largely sectional third party candidate came within a hare's breadth of collecting enough electoral votes to stalemate the election of a candidate from one of the two major parties. The system of presidential electors enables such third party candidates to exercise political power—to make political deals—without any relation to the strength of their popular appeal.

I expect to reintroduce and support a Constitutional amendment to dispose of the present barnacle blocking popular elections. Besides providing for the direct election of President and Vice President, the proposed amendment would require the winning slate to total at least 40 percent of the total votes cast. If this result did not occur, a runoff election between the candidates having the highest number of votes would be held.

The elimination of the electoral college will not only remove the complications that exist between the day of the popular election and the day the President is legally elected, but maverick third parties will be prevented from exercising power out of keeping with their actual popular appeal.

In addition, the shift to the popular election of President and Vice President will act to revitalize the two-party system. No longer will one-party strongholds be an important determinant of national office. There will be, instead, a strong stimulus to broader voter participation in the electoral system, in all regions of the country.

But doing away with the cumbersome electoral college is only a necessary first step. Our present system of protracted State primaries has long since failed to serve any constructive end. The events of this past year provide dramatic evidence of the corrosive impact of a series of degrading State primaries. Twenty-two months of presidential politics consumed ideas, money, and the patience of every American. By November, the electorate was weary. Pollsters had taught us what to think, how to react, and which way to vote.

The establishment of a national primary would eliminate the piecemeal process by which the parties choose their candidates for national office. National debate on issues would be elevated.

I am introducing today a constitutional amendment that will not only eliminate the electoral college but would also replace our present primary system with a national primary.

With a nationwide primary election held on the third Tuesday in August all party candidates for national office could demonstrate the strength of their candidacies on equal footing. Additionally, the selection at the same time of delegates to the party conventions will do away with the fragmented selection processes that now exist in each State.

The task of conducting and regulating the primary election shall fall to the States, subject to the overview of Congress. Party conventions would follow on the first Tuesday after Labor Day. This will establish a clearly defined political season of 7 weeks in which the presidential candidates of each party would present their positions to the electorate.

With such a time schedule the people will come to demand a coherent presentation of the issues and a more responsibly conducted campaign.

Cynicism has dampened the spirit of this country at a time when vitality in Government was never more needed. To restore confidence in the politics of this country—its institutions and its leadership—is our ultimate responsibility. There can be no more important task.

The establishment of a more rational democratic process is an important step in that direction.

GOODBY, BILL FREMD

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Mr. CRANE. Mr. Speaker, residents of Palatine and Schaumburg townships in the 12th Congressional District of Illinois were saddened recently by the death of William Fremd, for years a dedicated servant of elementary and secondary school students.

Mr. Fremd spent 44 of his 70 years on school boards in the area, giving his time in a salary-less, often thankless, position for the good of the students.

He was a farmer who watched his once rural countryside blossom into one of the fastest growing suburban areas of the Nation. Yet as the area changed, he maintained his values and the result was a sound education for thousands of students.

An editorial in the Herald, a newspaper published in my district, accurately reflects the loss to the area of William Fremd. I would like to extend my sympathies to his family and friends and share the editorial with my colleagues:

[From the Herald (Ill.), Dec. 29, 1972]

GOODBY, BILL FREMD

There's been too much passing away lately, there's been too much loss and too much sadness. There's been too many good-byes and too many ended journeys.

Harry Truman died this week and his passing signaled the worldwide eulogies to which this former President was entitled.

But preceding Mr. Truman in death was another gentleman of firm and honest reputation whose accolades will not be as far reaching but whose passing will be just as deeply felt in the Northwest suburbs.

Dead at age 70 is William Fremd, a man who devoted virtually all his life to helping the children of Palatine and Schaumburg Townships obtain a better education.

William Fremd served a total of 44 years on elementary and secondary school boards. He became a board member in Palatine Township when there were only a half dozen schools serving mostly farm families in the area.

Now, the educational systems in Palatine are regarded as some of the best in the state, including a high school named after Fremd, the friend of the children.

Like many of his generation, William Fremd saw this area blossom from farmland to suburbs. He kept pace with these changes over the years and contributed his deep understanding of this area to the betterment of the school systems he served.

Although he was termed an educator in later years, Mr. Fremd did not possess the degrees accredited educators bestow on each other to convince the outside world of their expertise. Instead, William Fremd continued to run a farm until as late as 1963 when he retired from the soil which had been his home.

Fremd's worth to the Northwest suburbs could not be measured in degrees on the wall, anyway. He was a simple man with logical and rock hard principles. His values were those of the rural community which

nurtured him: charity, thrift and perseverance.

Bill Fremd received high praise when he decided to retire. The U.S. Commissioner of Education congratulated him for his "steadfast service to the schools and youth of Palatine." Honors were given him by the Illinois General Assembly.

In all, he remained much the same person who came to a school board meeting in 1928 and found himself elected to the board. He stayed on that elementary district board until 1946 and was instrumental in the consolidation of several rural districts into what is now Dist. 15. His service on the High School Dist. 211 board often coincided with his other board work.

He was a remarkable man with great depth and love for the schools he built.

We have all lost something with his passing.

FRANK STARR'S OPEN LETTER
TO RALPH NADER

HON. ROBERT McCCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Mr. McCCLORY. Mr. Speaker, the obvious efforts of Ralph Nader to endeavor to find scapegoats among American manufacturers is indicated nowhere more prominently than in his continuing attacks against the automobile industry.

The increased number of consumers—including particularly purchasers of new automobiles—are becoming disillusioned by the expensive, mischievous, and sometimes dangerous safety gadgets that are being loaded on to consumers. I have yet to hear Nader take on the careless, reckless or drunken driver or the dope addicts or alcoholics who contribute to the vast majority of the accidents on our highways.

The chief of the Washington Bureau of the Chicago Tribune, Frank Starr has presented a convincing and illuminating exposé of Ralph Nader's dangerous line in an open letter which appeared in the Chicago Tribune for Monday, December 18, 1972.

I am attaching Frank Starr's letter for the edification of my colleagues and the American public.

OPEN LETTER TO RALPH NADER
(By Frank Starr)

DEAR MR. NADER: I'm writing not just to wish you Merry Christmas—tho I certainly do—but because you are known as a consumer advocate, a defender of the rights of consumers.

Being a consumer [who isn't?], it seems to me some of my rights are being infringed, particularly concerning the automobile, one area of your particular expertise. And the damage is being done in the name of us consumers.

The automobile is a principal means of transportation. We spend a disproportionate amount of our waking hours in them and a disproportionate amount of our net earnings on them.

TOO MUCH TO ASK?

It is not too much to ask, therefore, that they be made as pleasant, safe, and efficient as possible. Partially at your behest a series of federal regulations has been enacted, and more are promised, that seem designed to achieve the opposite.

The net effect of these regulations has been to make the 1973 models less attrac-

tive, more heavy, less powerful, more expensive, and less efficient.

In what might appear to be a response to an insurance company's propaganda campaign to lower its actuarial costs by convincing the public that rebounding bumpers are good, the auto companies have been forced to hang on the front of the 1973 models a heavy and expensive device designed to resist a crash into a solid wall barrier at 5 m.p.h.

I am not persuaded that such a hypothetical crash is likely to occur or that, if it did, it would damage more than some chrome doodles. Neither am I persuaded that, if I had a crash endangering life or limb, the bumper would reduce the danger.

In the name of air cleanliness—about which I am no less concerned than you—makeshift methods have been devised which sharply reduce the power of my engine, make the engine more complicated, and sharply increase the fuel consumption—and that in a time of energy crisis.

There are nearly no manufacturers—only a European maker comes immediately to mind—who have met pollution standards without drastically cutting power in the process.

While engine power is being reduced, weight is also being added by building steel beams into the doors, again making the automobile less responsive and more expensive.

One day soon, I am to be burdened with the greatest nightmare of all, an air bag that will instantaneously immobilize me on perceived contact with unintended objects and which, if an accident hasn't occurred, will surely cause one.

On Friday I learned that Douglas Toms, the greatest advocate of this device as head of the National Highway Traffic Safety Administration, has resigned, tho he once promised to stay until the air bag was wrapped up. And you, Mr. Nader, have criticized Mr. Toms for not being vocal enough in criticism of carmakers' progress toward such devices.

Not wishing to offer unconstructive criticism, may I suggest that the area of traffic safety that needs more attention is the hazardous and reckless licensing of unqualified drivers.

A member of my family recently passed the test in Washington, D.C., on first application after completing a drivers' school training course, only to discover that she literally had not yet learned how to control her vehicle. She was, by her own admission, a licensed road hazard.

A LICENSING PROPOSAL

Serious students of the problem have proposed far stiffer driver licensing requirements which would test, in practice, each driver's capacity to meet and overcome unexpected dangers such as sudden skidding on a wet curve.

According to gradations of proven skill, drivers with different classes of licenses would be allowed to drive only under different and appropriately determined restrictions and would be required to display their classes on their vehicles.

I for one would feel far safer with a reduced probability of accidents than with one of Mr. Toms' tanks. And driving might be a good thing again.

U.S. INTERESTS AND POLICIES IN THE MIDDLE EAST

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Mr. HAMILTON. Mr. Speaker, although many observers have argued that

the Middle East was fairly quiet during 1972, I think it is correct to assume that during 1973 the United States will have to focus more attention on two problem areas of American policy in this region—the continuing no war—no peace stalemate of the Arab-Israeli conflict and our policies toward the Persian Gulf area. I would like to bring to the attention of my colleagues a few remarks on U.S. Middle East policy which I made before the Southern Council on International and Public Affairs in Atlanta on November 10, 1972 and which focused on these two areas of concern.

My remarks follow:

PERSPECTIVES ON U.S. INTERESTS AND POLICIES IN THE MIDDLE EAST TODAY

By intent or by practice, United States policy in the Middle East can best be understood not as a comprehensive policy or strategy but as several interests which it strives to promote and protect by a variety of methods. The dilemma of the policy is that steps taken to promote one interest do not necessarily advance another interest. The overall success of the United States policies in the Middle East, then, depends on our ability to carry out several policies somewhat independent of each other, and on different tracks; United States Middle East policy tends to fail when several tracks become so interrelated that the lack of success in one area affects all policies.

Today, for example, the no war—no peace stalemate of the Arab-Israeli conflict affects all our interests and policies in the area. Our support of Israel on one track does not necessarily promote our interests in certain Arab countries such as Egypt, Jordan and Lebanon and the development of our ties with these states on a second track is not necessarily compatible with the promotion of our relations with Israel under present circumstances. The third track of our current policy, involving our relations with the oil rich states around the Persian Gulf, is not totally separate from or unaffected by the other two tracks and the present stalemate.

This multi-track characterization of U.S. policy in the Middle East has not always been applicable. From the very vague, anti-communist policy of the Truman Doctrine, which was designed to shore up the governments of Turkey, Iran and Greece after World War II, the United States tried to develop a comprehensive Middle East defense treaty organization in the 1950s. When such umbrella policies as the Baghdad Pact or Eisenhower Doctrine proved unable to protect our interests or promote our policies, the United States sought in the 1960s to develop specific policies of protecting and helping friendly governments and particular interests. Turkey and Greece aside, these policies have increasingly concentrated on relations with five countries: Israel, Iran, Saudi Arabia, Jordan and Lebanon and probably in that order.

Although a cynic might argue that this policy only reflects increasing distrust of the United States, more fundamentally, our policy is related to our interests and specific concerns with particular issues.

U.S. INTERESTS

Two interests of the United States in the Middle East are paramount:

First, we do not want to see local conflicts and rivalries develop into major wars, perhaps involving the great powers;

Second, we do not want any outside power to dominate the region. These two interests underlie our concern over Soviet intentions in the area.

Peace and stability are our overriding objectives in the Middle East but several other significant interests combine to place this region high on any agenda of foreign policy priorities.

STRATEGIC AND POLITICAL INTERESTS

Our strategic interests in the Middle East include:

1. The maintenance of the right of access to the area, its international waterways, and air routes.

2. The maintenance of a viable military presence in case that access is threatened. This presence need not be permanent. At present, the United States sells or gives substantial military aid to Israel, Jordan, Turkey, Iran and Saudi Arabia. In addition, we maintain communications facilities in Iran and Ethiopia and have naval units unequal in size stationed on either side of the Middle East; a small unit called MIDEAST FOR stationed at Bahrain Island in the Persian Gulf and the Sixth Fleet in the Mediterranean.

Our political interests in the Middle East include:

1. The social and political development of the entire area and all its people. We ignore the 100 million people of the Middle East and North Africa at our own peril: Their well-being is in our interest and in the interest of peace and stability throughout the region.

2. Reducing Arab dependence on the Soviet Union. While there is much disagreement over the means of carrying out this interest, there is no challenge to the validity of the objective.

In this discussion, an important distinction should be drawn between the need for the United States and the Soviet Union to recognize each others' legitimate interests in the Middle East and our interest in denying the Soviet Union dominance in the area.

3. A commitment to the continued existence of Israel within secure borders. While we may have disagreement with Israel over what constitutes secure borders, we have no disagreement with Israel over the goal of peace and defined and recognized boundaries.

ECONOMIC INTERESTS

Our economic interests in the Middle East are significant today, and they could become vital in the next decade. These interests—freedom of trade, access to Middle East oil and freedom of oil transport—are prime economic considerations for the United States.

At present, American trade and investment in the Middle East and North Africa produce a net annual inflow of almost \$2 billion into the United States—no small contribution at a time when the United States balance of payments deficit is greater than at any time since World War II. Oil is responsible for much of this inflow, and American oil companies have invested over \$4 billion in Middle East and North African oil ventures.

While given less publicity, the United States trade surplus in the Middle East and North Africa is, nonetheless, significant. In 1970, for example, this trade surplus was about \$1.4 billion. The importance of this figure is apparent when it is compared to the worldwide U.S. trade surplus of \$2.69 billion. American products, technology and machinery continue to be popular throughout this vast area.

Since only about five percent of U.S. petroleum consumption needs come from the Middle East, the present economic importance of Middle East oil for the United States could be seen largely in terms of its contribution to our balance of payments, but that would be an error.

Though our need for Middle East oil and natural gas will never equal Japan and Western Europe's dependence on it for over three-fourths of their fuel needs, government and private estimates indicate that by 1980 the United States may have to obtain over 35 percent of its projected oil needs from the Middle East, almost all of it coming from the Persian Gulf. The figures are staggering. The non-communist world currently consumes about 40 million barrels of oil a day;

the United States consumes about 18 million barrels of that.

In 1980, it is estimated that the non-Communist world will consume between 80 and 100 million barrels and the United States 24 of that figure. At the present rate, the United States can get only 12 million barrels from domestic sources, including Alaska. Of the remaining 12 million barrels needed, about nine will have to come from the Middle East, and that figure will then represent between 35 and 40 percent of total United States consumption needs.

Without question, the economic importance of the Middle East for the United States will increase sharply in the near future.

CULTURAL INTERESTS

The United States also has many cultural interests throughout the Middle East:

Some represent a legacy of American missionary and philanthropic enterprises which have played a crucial role for decades in the preparation of Middle East elites. The American Universities of Beirut and Cairo and Robert College in Istanbul are three examples. Several newer educational institutions in Israel, the Hadassah Hospital and the Weizmann Institute, in particular, have strengthened and fostered the natural ties between many Americans and the State of Israel.

More generally, the Middle East is recognized throughout the world as the cradle of civilization, the birthplace of the Judeo-Christian heritage and the preserver of the Greco-Roman tradition long after the Greek and Roman civilizations had faded into dark ages.

For Jews and Christians of this country peace and open borders in the Middle East, especially in Palestine, means access to the origins of their faith, and they cannot conceive that the land where that faith was nurtured should be in a state of war. The intensity of feeling in the United States for Israel and other countries in the region is only one manifestation of the strength of our cultural interests there.

ARAB-ISRAELI CONFLICT

Given these important interests, United States policy in the Middle East focuses on two problem areas: the quest for a solution of the Arab-Israeli conflict and a developing concern for the Persian Gulf.

The decision was made in the United States in June 1967 at the time of the Six Day War that a real peace in the Middle East was essential to preserve our interests in maintaining a position in the Arab world and in guaranteeing Israel's sovereignty.

The Arab-Israeli conflict complicated and jeopardized our ability to follow a two-track policy toward the Arab world and toward Israel. Evenhandedness, in its essence, was never really that—it was an effort to maintain a two-track policy without one track becoming involved with the other. President Kennedy had been supremely successful in this regard. The problem with the Arab-Israeli conflict was that it put United States policy under scrutiny and tended to force this two-track policy to be a one-track policy. This tension in our relations came at a time in the late 1960s after the June 1967 war when the Soviet Union was pouring more than \$2 billion worth of military hardware into Egypt. The United States responded by selling Israel the military technology and equipment, principally aircraft, to meet this Soviet threat.

Today, fortunately, that Soviet threat is somewhat diminished as several thousand Soviet military advisers have left Egypt. But because peace remains elusive and so much attention focuses on our aid to Israel, our policy appears increasingly one-track.

The successes of the United States in dealing with the Arab-Israeli conflict since 1967 are well known and insubstantial.

We helped negotiate UN Resolution 242 in November 1967 which has provided a framework for peace.

In 1970 and 1971 Secretary of State William Rogers and Assistant Secretary Joseph Sisco were constantly talking to Israel and Egypt and seeking to narrow the differences between them.

For nearly two years, there has been no sustained fighting and talks progressed on two fronts. Dr. Jarring, representing the United Nations, was working for a total settlement while the United States was working for a partial settlement. Both sets of indirect talks focused on Egypt and Israel. In many respects, the United States initiative was more successful. It arranged a ceasefire in August 1970 which is still in effect along the Suez Canal despite violations. It almost succeeded in producing proximity talks between Israel and Egypt a year ago.

A great opportunity for moving toward some reconciliation and a limited peace agreement in the Middle East was lost in 1971. Both the Jarring Mission and the U.S. peace initiative were stymied at critical junctures. Although everyone shares the blame, perhaps no one can be blamed. Bad timing may have been the reason for the missed opportunities.

The timing of 1971 diplomatic maneuvers failed to synchronize with the timing of the parties, causing both the Jarring Mission and the U.S. peace initiative to founder. The U.S. peace initiative failed principally because the United States could not get both Egypt and Israel to agree to proximity talks at the same time: When Egypt appeared willing to enter into such talks, Israel was not interested and when Israel finally agreed to these talks, at the end of the year, Egypt had lost interest. It is possible that the United States did not push hard enough at the proper time, but, perhaps also, no timing was opportune.

Dr. Gunnar Jarring's mission also raised peace hopes in early 1971, only to dash them. In the eyes of some, he pushed too hard, too quickly. He sought in February and March of 1971 a commitment of both Israel and Egypt to fairly precise guidelines of the eventual agreement as ground rules for further mediating talks between the two parties. Egypt accepted these guidelines, but Israel felt such parameters of a peace agreement with Egypt could be worked out only in negotiations.

WHERE DO WE STAND TODAY?

This two-track policy of the United States in the Middle East—the policy of evenhandedness toward the Arab-Israeli conflict—had always had bipartisan support here but today it remains a tattered fiction, at least in the eyes of most Arabs, and especially in the eyes of the Egyptians.

Arabs compare our aid or credits to Israel over the last several years—in the billions of dollars—with small but not inconsequential aid to them. Some point to the Jordanian Government as a quisling, pro-American clique and call for the overthrow of King Hussein; they chide United States officials for their duplicity and they point to the lack of progress on talks and say the United States likes the status quo.

But that is not so. Peace in the Middle East—to reiterate—is essential to the preservation of United States interests. While Egypt does not trust the United States, it does respect the United States and knows that a U.S. peace initiative remains the most important vehicle for peace. If the United States initiative is now to be revived, and I hope it will be, we must regain the trust of Egypt.

HOPEFUL AND DISTURBING SIGNS

Events are occurring in the Middle East, that make no headlines but do help the peace we urgently seek. Four positive de-

velopments have been emerging in the last year or so.

1. Jordan is more stable and stronger. Its military victory over the guerrillas and its increased confidence have raised the possibility of a separate Jordanian-Israeli peace.

2. Israel's policy of open bridges is improving the economic situation in the Occupied Territories of the West Bank and Gaza. Over 40,000 Arabs from these territories now work in Israel and each day new relationships are developing.

3. The end of the honeymoon between certain Arab States and the Soviet Union, especially the Soviet withdrawal from Egypt, can help defuse the Middle East conflict.

4. Throughout the region, states and leaders are looking inward toward coping with the problems of economic and social development. While Iraq, Libya and Syria may be exceptions to this rule, Jordan, Israel, Egypt, Lebanon are not.

These hopeful signs must, however, be juxtaposed with other, disturbing signs:

1. Terrorism is still part of the Middle East. Most states do, and all states should, condemn acts of violence.

2. King Hussein of Jordan remains a prime target of some Palestinian guerrillas and even the possibility of his assassination is a disturbing sign.

3. The prospect of the status quo remaining in the occupied territories for a long time could be destabilizing. As attractive as the present situation might be for Israel, it cannot go on indefinitely. Israel, if it is to build on its economic miracles and gain respect among residents in the West Bank and Gaza, must eventually drop its "occupation" rule and permit these Palestinians a greater voice in their own affairs.

4. The Soviet Union's uneven policies remain. It seems to be holding on strong in Iraq and Syria while letting go a little in Egypt. The Soviet Union also continues to play politics and blackmail with its own Jewish minority.

5. The policies of Syria, Iraq and Libya tend to counter the hopeful signs mentioned earlier. To persuade moderation on these states will not be easy, even for Egypt.

THE PERSIAN GULF

United States efforts to deal with the other major problem area in its Middle East policy—the Persian Gulf—have probably been more successful, but there remains the potential for conflict in this newly-independent, vastly wealthy, potentially unstable area. U.S. efforts have been successful largely because we have been able to keep this fast developing third policy track separate from the Arab-Israeli conflict. How long this can be done in the absence of peace is an important consideration.

The year 1972 saw the three states—Bahrain, Qatar, and the United Arab Emirates (U.A.E.)—join Kuwait, Saudi Arabia, Iraq and Iran as independent entities. In the same year, Oman, long an independent state, emerged from centuries of isolation.

These eight states are, by no means, equal. Of the some 47 million people living around the Persian Gulf, 30 million are in Iran and another 10 million in Iraq. Iran's population, together with its longer period of independence, larger oil industry, stronger armed forces and long established leadership, give that country the ability to play an important political and military role in the Gulf area.

The most significant political fact of recent Gulf history has been the relative tranquility which characterizes the several transitions that have taken place, transitions,

From non-oil to oil economics,
From dependence on a formal British role to greater independence,

And from long periods of conflict to a new period of cooperation.

The ability of the Gulf States to maintain this present relative stability will depend on

several factors. Some of the more important ones are:

A continued realization by all states of the necessity for cooperation among riparians; The peaceful resolution of several outstanding disputes;

The ability to cope with social, economic and political development;

And the prevention of the Gulf from becoming an area of great power competition or rivalry.

The United States has maintained excellent diplomatic and political relations with most countries of the Persian Gulf and Arabian Peninsula. Moreover, there is throughout the area a reservoir of good will towards Americans in general. American technology and diplomatic and military strength are respected although almost all the Arab States of the Gulf take strong exception to what they consider to be the United States imbalanced position on the Arab-Israeli conflict.

Our low key and cautious diplomatic and political policies have met with some success. The area has been treated separately from the rest of the Middle East and we have emphasized the practicality of mutually beneficial economic and political relations, and we have stressed the need for Persian Gulf States to cooperate with each other. This has led the United States to seek to export its technology to this developing area and to urge these states to rely on the West in the international arena.

DILEMMAS FOR THE UNITED STATES

In 1973, the United States will face many dilemmas as it tries to pursue its essentially three-track policy to deal with the two principal areas of concern—the Arab-Israeli conflict and the Persian Gulf.

In the former area, many questions deserve our attention:

What role should the United States play in promoting peace and should it revive its peace initiative?

What pressure can or should the United States apply in order to promote peace and, if peace results from pressure, how durable can it be?

What are the benefits and the drawbacks of the way we are formulating our policy toward the Arab-Israeli conflict and our attempted even-handedness or balanced policy?

What will happen if the present state of no-war no-peace continues?

With regard to the Persian Gulf, we might be asking the following questions:

What, precisely, are the U.S. interests in the Persian Gulf?

How can the United States best assure its future access to Persian Gulf oil and stability in that area?

How will the relationship between international oil companies and oil exporting countries change in the next decade? What are the implications of these changes for the United States?

Does our support of the bigger states of the Gulf, particularly Iran and Saudi Arabia, encourage those states to dominate the area and is such domination in our interest?

Should the United States continue to maintain its small naval force stationed on the island of Bahrain?

Can the United States pursue policies which protect our interests but which also help keep this potentially unstable area outside the arena of great power competition?

These questions and others form the stage for discussion of United States policy toward the Middle East in the next administration. For different reasons, the stakes are high in both problem areas confronting the United States. My main hope is that with Vietnam fading somewhat from the foreign policy limelight, more attention can be devoted to these issues.

THE PARTICIPATION OF THE TENAFLY HIGH SCHOOL BAND IN THE TOURNAMENT OF ROSES PARADE ON NEW YEAR'S DAY

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Mr. HELSTOSKI. Mr. Speaker, it was with great pride and admiration that I watched on television, along with millions of other Americans, the participation of the Tenafly High School Marching Band in the Tournament of Roses parade on New Year's Day.

The outstanding 161-member band, under the direction of Mr. Edward M. Stochowicz, was the only representative of the Northeast section of the United States—and one of nine high school bands in the country—to be so honored.

I know how proud the young men and women, along with their parents, felt in being accorded this distinction. They have exhibited the highest level of musical achievement that can be accomplished with hard work, precision, loyalty, dedication, and team spirit. Indeed, these young people, under the tireless and excellent direction of Mr. Stochowicz, embody the ideals and ideas of our next generation of leaders, and certainly the faith we have in our youth.

After having distinguished themselves in various concerts throughout the United States and Canada, the Tenafly band was invited to participate in the Tournament of Roses parade. Dr. Samuel K. Elster, president of the board of education, along with the board members, passed a resolution in support of the proposed trip and authorized the formation of a committee to raise funds. Superintendent of Schools John B. Geissinger and High School Principal Daniel P. Kneuppel gave their strong support, and Mayor Walter M. Hartung proclaimed the week of November 12-18 as Band Week.

An intensive community effort began, not only in the borough of Tenafly, but throughout the Northeastern United States in order to raise the necessary funds.

The effort and contributions made by various people and organizations can be noted by the statement I will place in the RECORD following my remarks, along with the names of the young people who played in the Tenafly Band.

Mr. Speaker, I am most honored to represent the borough of Tenafly in Congress, and I know that my colleagues join with me in congratulating the Tenafly Band and the many people who made their participation in the Tournament of Roses possible.

These young people and their band director can be looked upon as ambassadors of good will who have accorded their town and the State of New Jersey a great honor. They will long remember this unique experience and I have no doubt that they will strive for even higher achievements.

Mr. Speaker, the statement on the Tenafly Band and its participants follow:

STATEMENT CONCERNING THE TENAFLY HIGH SCHOOL MARCHING BAND'S PARTICIPATION IN THE TOURNAMENT OF ROSES PARADE AT THE ROSE BOWL IN PASADENA, CALIF.

The Tenafly High School Marching Band, under the direction of Edward M. Stochowicz, participated in the Tournament of Roses parade at the Rose Bowl in Pasadena, California on January 1, 1973. The 161 member band was the only representative of the northeast section of the United States, and one of nine high school bands in the country, to do so.

Dedicated public service and outstanding musical achievement have marked the band's career. Activities leading up to the Tournament of Roses parade include exchange trips with high school bands from Toronto and Montreal, Canada; two performances at Army games at West Point; participation in the Cherry Blossom Festival in Washington, D.C.; and an appearance before Vice President Spiro T. Agnew at the annual convention of the American Association of School Administrators in Atlantic City, New Jersey. Tenafly Superintendent of Schools John B. Geissinger, then AASA president, presided at that convention.

In addition, the band took part in a benefit concert for the New York Public Library at Bryant Park in New York City; and was host band at the twenty-fifth anniversary of the Herald News Band Festival in Clifton, New Jersey. Band Director Edward M. Stochowicz was guest conductor of the mass band finale at that festival. The band most recently competed in the Glen Ridge Interstate Marching Band contest, a competition which included bands from New Jersey, New York and Pennsylvania.

When, in October 1972, the Tenafly band received an invitation to participate in the Tournament of Roses parade, the Board of Education passed a resolution in support of the proposed trip and authorized the formation of a committee to raise funds for it. Superintendent of Schools John B. Geissinger voiced his approval, as did High School Principal Daniel P. Kneuppel.

Mayor Walter M. Hartung proclaimed the week of November 12 to 18 as Band Week, and an intensive community effort, involving both the Borough of Tenafly and areas throughout the northeastern United States, began. Contributions were received, for instance, from a high school band member in Pennsylvania, from a senior citizens' group in Sheepshead Bay, Long Island, from a former coal miner in Elizabeth, New Jersey, from Fishkill, New York, Stamford, Connecticut, and Hendersonville, North Carolina.

A good deal of this outside interest was created by Rolland Smith's CBS coverage of the band fund campaign. JAYCAP, a drug rehabilitation group from Jamaica, Queens, saw the initial program, and responded, canvassing its area for the Tenafly band. When JAYCAP completed its canvass, the group came to a Tenafly High School Football game and presented the funds to band representatives at half time. This moving experience, the touching of different worlds, was perhaps the most exciting development of the entire period.

Industry in the area also responded to the band's requests. And within the community, organizations, businesses and individuals co-operated fully. A Brownie troop held a garage sale, needlepoint kits of the Tenafly Tiger were designed and sold, taste testing sessions for a consumer research firm were conducted, and all monies were contributed to the band fund.

Climaxing the campaign was a parade through the center of Tenafly, led jointly by

the Mayor and Council and the Board of Education. Following the parade, band members broke up into pre-arranged groups to canvass the town door-to-door. In six short weeks the money was raised.

This could not have been accomplished without the full cooperation of Mayor Walter M. Hartung and Council members Phillip B. R. Baas, Jr., Robert Bucher, Stephen Capkovitz, Eleanor Dendy, Joseph Phillips and Richard K. Van Nostrand.

The encouragement of Board of Education President Samuel K. Elster, Vice President E. Kirby Warren and trustees Adrienne Berenson, Albert H. Dwyer, Dorothea C. Forsythe, Arthur W. Foshay, Morton E. Kiel, Alan G. MacDonald and Anne L. Ratner was of inestimable value.

Superintendent of Schools John B. Gelsinger gave unstinting support, as did High School Principal Daniel P. Kneuppel.

The fund raising steering committee composed of Mr. and Mrs. W. Gerould Clark III, Maria Davis, Bartley Eckhardt, Mr. and Mrs. Robert Fuller, Barbara Krehely, Geraldine Krumholz, Marguerite Lindemann, John Moxham, Mr. and Mrs. E. Granger Ottley, Mattie Palamara, Betty Plum and Barbara Soyster and Suzanne Srour mounted a massive and highly successful campaign.

But it could not have been done without the band members themselves and their director Edward M. Stochowicz. Their musical achievement led to the event, and their full and enthusiastic participation allowed it to happen. They had a most rewarding educational experience, both throughout the campaign, and in Pasadena, where they had the opportunity to meet with, and work with, high school band members from North Carolina, Texas, Indiana, California, Michigan and Oklahoma.

1972-73 TENAFLY BAND MEMBERS, THEIR PARENTS, AND ADDRESSES

9TH GRADE

Richard Adler, Mr. and Mrs. Bela, 16 Malcolm Ct.
Elizabeth Athos, Dr. and Mrs. William, 7 Huguenot Ct. 9.
Lisa Bloch, Mr. and Mrs. Norton, 33 Greentree Terrace.
Lisa Bloom, Mr. and Mrs. Kenneth, 26 Evergreen Place.
Ashley Clark, Mr. and Mrs. W. Gerould, 176 Westervelt Ave.
Steven Cohen, Mr. and Mrs. Jerry, 236 Highwood Ave.
Stephen Davis, Mr. and Mrs. George, 144 Highwood Ave.
Judith Eckhardt, Mr. and Mrs. Louis, 31 Jewett Ave.
Jim Falk, Mr. and Mrs. Albert, 67 Walnut Drive.
Robert Fuller, Mr. and Mrs. Robert, 300 Riveredge Rd.
Steven Gerst, Mr. and Mrs. Paul, 141 Tekening Dr.
Betty Harrison, Mr. and Mrs. Bernard, 1 Knoll Rd.
Robert Hersh, Mr. and Mrs. Charles, 237 Hickory Ave.
Jon Hexum, Mrs. Gertha, 35 Elm St.
Lisa Kaufman, Mr. and Mrs. Edward, 53 Hamilton Pl.
William Krehely, Mr. and Mrs. John, 36 Oak St.
David Krumholz, Mr. and Mrs. Alan, 104 Walnut Drive.
Michale Lang, Mr. and Mrs. Alfred, 122 Columbus Dr.
Ann Lefkowitz, Dr. and Mrs. Edwin, 98 Walnut Drive.
Scott Miller, Mr. and Mrs. Ira, 10 Greentree Terr.
Mary Nastuk, Dr. and Mrs. William, 103 Hillside Ave.
Paul Palamara, Mr. and Mrs. Joseph, 43 Palmer Ave.

Neil Parker, Mr. and Mrs. Daniel, 47 Windsor Rd.
Jeff Plum, Mr. and Mrs. Russell, Robin Lane, Alpine.
Maryanne Polk, Mr. and Mrs. Mervin, 2 Inness Rd.
Steven Saydah, Mr. and Mrs. Ferris, 40 Joyce Rd.
Daniel Segal, Mr. and Mrs. Norman, 26 Cherry St.
William Selick, Mr. and Mrs. Davis, 76 LeRoy St.
Tom Silber, Mr. and Mrs. Frank, 87 Glenwood Rd.
Mark Terminello, Mr. and Mrs. Dominic, 7 N. Browning Ave.
Naida Wharton, Mr. and Mrs. Ralph, 68 Knickerbocker Rd.
Emmy Whitlock, Mr. and Mrs. Robert, 330 Engle St.
Debbie Wismer, Rev. and Mrs. Eli, 18 Wilkins Place.

10TH GRADE

Carl Adamec, Mr. and Mrs. John, Litchfield Way, Alpine.
Ted Anton, Mr. and Mrs. Gus, 108 Surrey Lane.
Cori Beychok, Dr. and Mrs. Sherman, 61 Lylewood Drive.
Leslie Deeb, Mr. and Mrs. Edward, 31 Oak Street.
John Duncan, Mr. and Mrs. John, 60 Woodland Park Dr.
Bartley Eckhardt, Mr. and Mrs. Bartley, 98 Dean Dr.
Jayson Forsythe, Mr. and Mrs. Henderson, 204 Elm Street.
Richard Goldner, Mr. and Mrs. Ralph, 166 Riveredge Road.
Cathy Hatfield, Dr. and Mrs. Wendell, 124 Leroy Street.
William Hayes, Mr. and Mrs. William, 26 Royden Road.
Alan Harari, Mr. and Mrs. Joseph, 36 Churchill Rd.
Andrew Jacobson, Mrs. Leonard Jacobson, 85 Buff Road.
Kathy Kane, Mr. and Mrs. Alfred, 128 Columbus Drive.
Beth Katzman, Dr. and Mrs. Merle, 101 Coppel Drive.
Mary Pat Kelly, Mr. and Mrs. William, 32 Norman Place.
Don Kiel, Mr. and Mrs. Morton, 65 Richard Street.
David Klings, Mr. and Mrs. David, 70 Forest Road.
Jane Kornfeld, Dr. and Mrs. Peter, 64 Creston Ave.
Beth, Laitman, Mr. and Mrs. Daniel, 213 Serpentine Road.
David Lefkowitz, Dr. and Mrs. Edwin, 98 Walnut Dr.
Phil Levin, Mr. and Mrs. Bernard, 45 Mayflower Dr.
Ross Lilley, Mr. and Mrs. T. R., 25 South Park Dr.
Kay Marshall, Mr. and Mrs. John, 49 Walnut Dr.
Leslie Neal, Mr. and Mrs. Rollin, 14 Park St.
Hank Ottley, Mr. and Mrs. Granger, 38 Edgewood Road.
Alison and Chris Ruffley, Mr. and Mrs. Ray, 55 Inness Road.
Liam Schwartz, Mrs. Carole, 120-B Dean Drive.
Bernie Selling, Mr. and Mrs. Ignatz, 65 N. Lyle Ave.
Lee Shaouy, Mr. and Mrs. Philip, 66 Essex Dr.
George Snyder, Mr. and Mrs. Joseph, 29 Kenwood Road.
Jeff Soule, Dr. and Mrs. William, 29 Glenwood Road.
Danielle Srour, Mr. and Mrs. Soly, 6 White-wood Road.
Rick Steele, Mr. and Mrs. Joseph, 101 Walnut Drive.

Dana Vaughn, Mr. and Mrs. Samuel, 23 Inness Road.
Richard Witzig, Mr. and Mrs. Fred, 9 West Ivy Lane.

11TH GRADE

Karen Albertsen, Mr. and Mrs. Torkild, 8 Glenwood Road.
Ken Birne, Mr. and Mrs. Alvin, 43 Berkeley Drive.
Bob and Bill Blohm, Mr. and Mrs. Willard, 105 Sussex Rd.
Neil Bressler, Mr. and Mrs. Sidney, 125 Sussex Rd.
Donna Grodjek, Mr. and Mrs. Joseph, 169 Elm St.
Mal Hargrave, Mr. and Mrs. M. Bates, 41 Joyce Rd.
Beth Hegelein, Mr. and Mrs. William, 166 Westervelt Ave.
Gunnar Hexum, Mrs. Gretha Hexum, 35 Elm St.
West Hlorth, Mrs. M. Hlorth, Dubois Ave., Alpine.
Richard Jaffe, Dr. and Mrs. Ernst, 9 Orchard Place.
Barbara Kelly, Mr. and Mrs. William, 24 Midwood Rd.
Ann Lindeman, Mr. and Mrs. Richard, 144 W. Clinton Ave.
Brian Majeski, Mr. and Mrs. John, 31 Dogwood Lane.
George Palamara, Mr. and Mrs. Joseph, 43 Palmer Ave.
Betty Small, Dr. and Mrs. Bernard, 109 Thatcher Rd.

12TH GRADE

George Andrae, Dr. and Mrs. Eric, 31 Stony Brook Rd.
Carol Bertges, Mr. and Mrs. Walter, 114 Sunset Lane.
Al Bolognini, Mr. and Mrs. John, 104 Elm St.
Dick Chaldler, Mr. and Mrs. Charles, 35 Louise Lane.
Bill Goldner, Mr. and Mrs. Ralph, 166 Riverside Rd.
Chris Hatfield, Dr. and Mrs. Wendell, 124 Leroy Street.
Howard Jacobson, Mrs. Leonard, 85 Buff Road.
Debbie Jones, Mr. and Mrs. W. K., 20 Creston Ave.
Dave Kaplow, Dr. and Mrs. Edward, 66 Surey Lane.
Bob Krehely, Mr. and Mrs. John, 36 Oak Street.
Matt Kovner, Mr. and Mrs. E., 118 B. Dean Dr.
Wayne Lilley, Mr. and Mrs. T. R., 25 South Park Dr.
Ray Monroe, Mr. and Mrs. Raymond, 78 Mackay Dr.
John Nastuk, Mr. and Mrs. William, 103 Hillside Ave.
Jim Olsen, Mr. and Mrs. J. A., 6 Porter Ave.
Don Plum, Mr. and Mrs. Russell Plum, Robin Lane, Alpine.
Bob Schults, Dr. and Mrs. John, 237 W. Clinton Ave.
Mark Sorensen, Mr. and Mrs. Holger, 5 Hillcrest Road.
Jay Stephan, Mr. Joseph, Sussex Road.
Bill Zimmerman, Mr. and Mrs. Bernard, 15 Elkwood Terrace.

COLOR GUARD

Connie Blickenderfer, Mr. and Mrs., 40 Roberts Ct.
Debbie Barrows, Mr. and Mrs. Robert, 71 Downey Drive.
Diane Darrow, Mr. and Mrs. James Church Street, Alpine.
Sue Dunbar, Mr. and Mrs. Howard, 86 Churchill Road.
Judy Enders, Mr. and Mrs. Howard, 93 Surrey Lane.
Cindy Finetto, Mr. and Mrs. Frank, 170 Hickory Avenue.

Nancy Goodman, Mr. and Mrs. Philip, 502 Knickerbocker Rd.

Missy Holmes, Mr. and Mrs. Edward, 175 Westervelt Ave.

Phyllis Hutloff, Mr. and Mrs. Harry, 58 N. Browning Ave.

Darleen Hillard, Mr. and Mrs. Harry, 37 Jewett Ave.

Jane Heely, Mr. and Mrs. Roy, 22 Kenwood Road.

Mary Hickey, Mr. and Mrs. John, 224 Hickory Ave.

Carol Khoury, Mr. and Mrs. John, 9 Huguenot Ct.

Carol Krehely, Mr. and Mrs. John, 36 Oak Street.

Laurie LaViola, Mr. and Mrs. Michael, Litchfield Way, Alpine.

Pam and Tory Lerner, Mrs. Constance, 1 Lindley Ave.

Judy Maragliano, Mr. and Mrs. Carl, 183 County Road.

Nancy Miller, Mr. and Mrs. Olsen, 142 Magnolia Ave.

Sue Nelson, Mr. and Mrs. Melvin, 28 Roberts Ct.

Kathy Palamara, Mr. and Mrs. Joseph, 43 Palmer Ave.

Marie and Madeline Postolakis, Mr. and Mrs. George, 4 Day Ave.

Francie Prosser, Mr. and Mrs. F. Woodward, 27 Laurel Ave.

Sue Renaud, Mrs. Barbara, 175 Highwood Ave.

Nancy Redard, Mr. and Mrs. W. Lee, 23 Dogwood Lane.

Wendy Rogers, Mr. and Mrs. Ronald, 20 Roberts Ct.

Terry Schnaars, Mr. and Mrs. Charles, 135 Columbus Drive.

Nancy Selling, Mr. and Mrs. Ignatz, 65 N. Lyle Avenue.

Sue Soyster, Mr. and Mrs. Stuart, 24 Benjamin Road.

Chris Spaulding, Mr. and Mrs., 1 Spruce St.

Barbara Steele, Mr. and Mrs. Joseph, 101 Walnut Drive.

Sue Trnka, Mr. and Mrs. Jack, 15 DeMott St.

Joanne Young, Mr. and Mrs. James, 246 Riveredge Rd.

Monique Srour, Mr. and Mrs. Soly, 6 White-wood Rd.

Mae Trimarchi, Mr. and Mrs. Carmen, 40 N. Browning Ave.

Sue Moxham, Mr. and Mrs. John, 153 Sunset Lane.

MAJORETTES

Debbie Carter, Mr. and Mrs. Elwood, 165 Engle St.

Sue Kane, Mr. and Mrs. Alfred, 128 Columbus Drive.

Alison Klenk, Mr. and Mrs. Robert, 21 Lawrence Parkway.

Yvonne Lang, Mr. and Mrs. Alfred, 122 Columbus Drive.

Barbara Marana, Mr. and Mrs. Al, 54 Columbus Drive.

Janet Nunez, Mr. and Mrs. Frank, 35 Sunset Lane.

Claire Rauscher, Mr. and Mrs. Edwin, 100 Columbus Drive.

Nancy Rosenberger, Mr. and Mrs. Walter, 11 Woodmere Lane.

Suzanne Sharer, Mr. and Mrs., 73 Lylewood Drive.

Patty Teagno, Mr. and Mrs. Arthur, 99 Westervelt Ave.

Adrienne Watson, Mr. and Mrs. Dirk, 85 Norman Place.

TIGERETTES

Gall Bradley, Mrs. W. Bradley, 363 Knickerbocker Rd.

Jane Davidson, Mr. and Mrs. John, 6 Bradford Ct.

Barbie Fehrle, Mr. and Mrs. Karl, 30 Kenwood Road.

Laurie Graziani, Mr. and Mrs. Richard, 80 Cortlandt Place.

Winnie Kelley, Mr. and Mrs. Edward, 129 Westervelt Ave.

List Moore, Mr. and Mrs. Joseph, 49 Rockingham Rd.

Pat Andrews, Mr. and Mrs. Joseph, 171 Hickory Ave.

Sue Lorentsen, Mr. and Mrs. C. Roy, 10 Floral Terrace.

WORLD WAR I PENSION ACT OF 1973

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Mr. ANDERSON of California. Mr. Speaker, no group of patriots has been so often overlooked and so long neglected as those Americans who served, and served valiantly, during World War I.

A number of factors have led to this unfortunate and unjust situation:

The education of a veteran of World I averaged that of about a sixth grader, yet no Government educational assistance was waiting for him when he laid down his arms.

The Government did not help him find employment, as is the case of more recent veterans. Nor were the veterans hospitals available as they are today.

Pension systems, such as social security, were not created until long after World War I ended, and by then most veterans of the First World War were too far along in life to build up maximum social security benefits.

As a result, today we find that approximately 700,000 World War I veterans, as well over half of their total numbers, are scraping out a meager existence on less than \$2,500 per year.

The pension system that is in effect is a type of welfare that is beneath the dignity of those who have contributed greatly to our country—not only by their war service—but also through the years as private citizens.

For example, a married veteran of World War I, whose annual income is \$500 or less, is entitled to \$140 a month pension. No pension is payable to such a veteran whose annual income exceeds \$3,800, even though the Government defines "poverty" as an income of less than \$4,200 per year.

The veteran without dependents is eligible for pension only if his annual income is less than \$2,300.

To correct the injustice that has led to the financial plight of the World War I veteran, I am today reintroducing a proposal which would provide a \$150 a month pension for either the veteran or his widow. This pension would be paid to the veteran—not on a welfare basis—but because he earned it defending our country.

Mr. Speaker, of this 5 million who served our country in uniform during World War I, only 1.2 million are still alive and their average age is almost 78. They deserve a pension—not only as a matter of need, but as a matter of right.

WASHINGTON POST WOULD IMPOSE ON ASSISTANCE TO EARTHQUAKE VICTIMS IN NICARAGUA

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Mr. RARICK. Mr. Speaker, judging from the scathing editorial on the governing official of Nicaragua, one can only assume that the powers that guide the Washington Post do not like the controlling class of Nicaragua.

To hit at a power structure and seek to exploit the victims of the earthquake must entitle one to a Nobel Prize for yellow journalism.

The Post people dislike American-educated Senor Somoza because he is a general and runs Nicaragua with a strong and firm hand. Perhaps the people at the Post fear describing the conditions in devastated Nicaragua if a man like General Somoza were forced to surrender his power to the masses. Overlooked is the proximity of Nicaragua to Castro Cuba, the constant threat by infiltration from communism, and the unmistakable fact that General Somoza—as well as most Nicaraguans—are close friends and allies of the United States. Even General Somoza's most bitter political opponents concede that there had been great changes in Nicaragua that were benefiting the small landowner, the peasants, and the average citizens. Unmistakably, the earthquake will set back many of the reform programs to the detriment of the poor. But it must be considered a grave disservice to humanity to judge other American people and their government by U.S. standards. Who does lose the most in a calamity like an earthquake? The poor who are cast into other standards of poverty but who have learned to live in their class, or the affluent and ruling class who have invested their wealth, ingenuity, and initiative to improve the welfare of their fellow man but have lost all through no fault of their own? The answer can only be that all have lost—relevancy can only be measured in worth.

As one American, I feel it highly reprehensive for a major newspaper in our Nation's Capital to even suggest that before we use the enormous funds and programs of our country to help the destitute victims of Nicaragua, we require strings on our charity requiring the recipient to remake the country to please some newspaper editorial writer.

Russia, Red China, North Vietnam, and a myriad of other Communist nations are also headed by strong men or dictators. Some may wonder why the Post writes only glowing stories of our trade and relief to these countries.

As one average American, my opinion of General Somoza as a leader of his people has been enhanced by this unfortunate and certainly untimely misuse of the free press in our country.

The full text of the editorial from the January 9, 1973, Washington Post follows:

AN OPENING FOR CHANGE IN NICARAGUA?

As the international community ponders the forms in which to offer special assistance to earthquake-stricken Nicaragua, it would seem not only fair but necessary to ask why the victim of a natural disaster should get more sympathy and aid than a country whose misfortune stems in large part from its government's misrule. The first and easy answer—that earthquakes are non-political and deserving of a humanitarian response—undeniably has a certain appeal; the Nicaraguan government, notoriously indifferent to matters beyond its own narrow leadership's enrichment and power, has been plugging it hard. As Nicaragua moves out of the canned-milk and tent-city stage of immediate relief requirements, however, the question becomes more real.

Plainly, no one concerned with the overall welfare of Nicaragua could countenance withholding relief in the expectation of forcing political change: the Somoza family would loudly protest, cushioned by its wealth, while the poor suffered. At a certain point, though, it becomes possible to stop thinking of Nicaragua merely as the scene of an earthquake and to regard it instead as a country whose woeful under-development has been exposed and deepened by the current crisis. At this point, the focus of outside effort turns from "rebuilding" and making the earthquake victims whole—a focus bound to serve, say, such major owners of damaged business-district property as the Somoza family—to "development" and the general welfare.

Development is coming increasingly to be understood as improving the lives of poor people: getting to them more income, more services, more jobs. Why should not the international lending agencies, especially those lending tax-provided funds, design projects which serve these particular goals? Such projects—aimed specifically at relieving poverty rather than just encouraging a statistical increase in economic growth—need not and should not be limited to Nicaragua. But Nicaragua is a good place to have a go at it, if only because its form of government is what it is.

Now, for an agency like the Inter-American Development Bank, for instance, to work in this way is not particularly congenial or simple. Since General Somoza has asked for special help, however, he is open to some reciprocal requests in turn. He might consider what it would do for his family's reputation to be seen as a statesman who used his nation's latest natural crisis as a lever for improving the lot of its poor. He could consider how embarrassing it would be to him, and how harmful to public confidence in hemispheric cooperation, if it were later found that he had manipulated international sympathy chiefly for his family's and friends' benefit. The general might begin by publicizing a list of the family's holdings—those damaged by the quake and those not. He might then report what portion of these holdings he intends to devote to national reconstruction. That done, he could proceed by inviting his people, in a real election, to sanction a new and somewhat more responsive style of rule.

TO STOP DEGRADING VARIOUS ETHNIC GROUPS IN THE MEDIA

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Mr. ANNUNZIO. Mr. Speaker, last week I reintroduced a House Resolution

expressing the sense of Congress against production and distribution of films that degrade racial, religious, and ethnic groups. This resolution had a total of 72 cosponsors in the 92d Congress demonstrating a deep-seated concern over the intolerable situation which has been perpetuated by our mass media. Because of the continuing need for the Congress to express itself on this urgent matter, I am bringing this problem before the attention of my colleagues again in this session.

As an American and the son of Italian immigrants, I am only too well acquainted with the innuendoes, the guilt-by-association techniques, the sick jokes, and the countless other vicious, contemptible and cruel methods employed by our mass media to degrade members of ethnic and minority groups.

It is high time that a halt is called to the scurrilous portraits of ethnic Americans which the media not only allow but seem to encourage. Everyone knows that Polish-Americans are no less lacking in intelligence than other Americans, that Italian-Americans are no more hoods and crooks than other Americans, just as Mexican-Americans are no lazier or devious than the rest of us.

Such inexcusable slurs upon the dignity and integrity of ethnic minorities are not only an affront to the fundamental American concept of fairplay but more importantly, constitute a destructive attack upon many of those very individuals who have contributed in lasting and tangible ways to the building of this Nation—a nation which by its very definition is comprised of immigrants from every corner of the globe.

Indeed, Mr. Speaker, such revered names as Christopher Columbus, the great Italian navigator who discovered America; Dr. Enrico Fermi, the Italo-American who is regarded as one of the greatest physicists of our time and the father of nuclear energy; Gen. Casimir Pulaski, the eminent Polish nobleman who first established our American cavalry and gave his life for our freedom in the American Revolutionary War; Thaddeus Kosciuszko, the Polish patriot who fought in our Revolutionary War and engineered the fortification of West Point; and so many others too numerous to mention without whose contributions America, the greatest democracy on earth, would perhaps never have flourished.

The most remarkable aspect of America is its diversity. That composite of cultures which has gone into the making of America has produced one of the richest, most exciting, most vital societies in history. It is from this diversity that the greatest of America springs, and it is the triumph of America that, out of such diversity, has come that mingling of traditions, temperament, and cultures which personifies the American Union.

Assimilation does not necessarily require elimination of ethnic attributes, however. Much of the ethnic flavor introduced by thousands of immigrants is of a lasting and enduring nature, and the people from faraway lands change America, even as America changes them.

It is a tragic commentary upon our

times that those ethnic groups and minorities who have managed to retain a vestige of their original national identity—while at the same time assimilating the best concepts of democratic society—should be made to suffer most acutely by motion pictures and television programs which demean their identity.

Italian-Americans, Polish-Americans, Greek-Americans, Mexican-Americans, black Americans, and members of every other minority and ethnic group, who by their vigor and pride have contributed so much to America's strength and greatness—have every right to be free from the harm directed at them by thoughtless panders of hatred and discord. Every minority group is justifiably proud of its ancestry, its accomplishments, and its contributions to the advancement of world civilization. When we destroy this pride in "self"—we destroy the very quality Americans possess that has made America great.

For too long the intolerable situation of defaming minority groups in mass media has been allowed to exist, and the time is long overdue for the movie and television industries to do much more than the little they have done in the past to eliminate the discord, racial strife, and hatred they are peddling, and to reunite our country and rededicate us to the spirit of brotherhood in which our Founding Fathers established our great democracy.

I want to make it clear that this resolution has not been introduced for the purpose of censoring the motion picture and television industries. We all know that they are fully protected by the Constitution and the Supreme Court of the United States which guarantee the freedoms they enjoy, but at the same time, a serious question has been raised in the minds of millions of Americans about the abuse of their privilege of informing the public and disseminating information and news.

The press, radio, and television have been derelict in their responsibility to help create a society in which people are proud to make a contribution to their country, and are proud to respect their own heritage and their institutions. In America, the lack of respect that exists today for family, for the church, and for our institutions, has undermined our people as well as our confidence in the direction our Nation is taking. One reason this situation continues to exist is because we have permitted the mass media to ridicule and to stereotype our minority groups by using such repugnant words, as "wop," "kike," "nigger," and "polack."

When such derogatory terminology is used, it can only encourage dissension, and as a result, today we have blacks fighting whites, and one ethnic group pitted against another. The day of reckoning is finally upon us. Mass media must evaluate its policies and honestly answer these questions: Are they causing confusion and frustration? Are they abusing their privilege and responsibility of informing the people? Are they encouraging the type of struggle that pits one human being against another simply because of their racial or ethnic origin?

The power of the press, television and

motion pictures over mass behavior and public attitudes is manifest in many ways. This "power" was recognized many decades ago, even before the advent of television and motion pictures, when Napoleon I said,

Three hostile newspapers are more to be feared than a thousand bayonets.

And even more recently, our Vice President, Spiro Agnew, is quoted as saying,

The power of the networks (are) equal to that . . . of local, state, and federal governments all combined.

Such statements are good indications of the vast power of today's media to influence public attitudes.

With open conflict and mistrust all over the world, it is imperative that the leaders who help to mold and develop public opinion in the United States assume the responsibility for creating unity here at home so that we can become strong and united as a nation to meet our obligations abroad. We must show the world that our democracy has real meaning, that we are a nation of nations, that we revere and respect our institutions, and that we are ready to defend ourselves and our principles of democracy anywhere in the world.

Congress must speak out forcibly on behalf of our ethnic groups and our minority groups which have contributed so much to the greatness of this country, and in return, deserve nothing less than its respect.

There is no doubt that those individuals who control the media are to a great extent abusing the protection of the first amendment, and in so doing, they are undermining the very principle of respect for individual rights which is guaranteed to every American as his birthright.

I, therefore, urge that this resolution be favorably considered as promptly as possible in order that the Congress may have the opportunity to go on record as vigorously opposing all defamatory activity directed against America's dedicated minority groups by the news media in the United States.

DR. HAROLD F. McNIECE

HON. HUGH L. CAREY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Mr. CAREY of New York. Mr. Speaker, it is with deep regret that I call to the attention of my colleagues the untimely death of Dr. Harold Francis McNiece, professor and former dean of the St. John's University School of Law. In his lifetime, Dr. McNiece distinguished himself as an outstanding author, educator, and humanitarian.

I insert at this point the eulogy delivered by Rev. Msgr. Charles E. Diviney, V.G., pastor of Saint Charles Borromeo Roman Catholic Church, 21 Sidney Place, Brooklyn, N.Y., on December 30, 1972.

In addition, I insert a short biography of the distinguished gentleman's life:

EULOGY FOR HAROLD McNIECE,
DECEMBER 30, 1972

All the flowers on the altar today have an intrinsic beauty of their own. But there is

one plant that has an added loveliness. This is why.

Last week when I returned to my room I found it on the coffee table along with this note, which I quote verbatim. "We are students at St. John's Law School and we want to remember Professor McNiece in a special way this Christmas. Since the Professor won't be able to be at Mass in his own church this season we thought maybe you would place these flowers on the altar in his name. We realize the church will be banked with point-settias, but if you wouldn't mind maybe you could see that this one goes right on the altar."

We send this flower not only as a prayer for his recovery, but in thanksgiving for having had the privilege of his wit and wisdom in the classroom and the contact with his good and gentle nature. If you could do this we would be very grateful."

It was signed by nine of his students.

Unfortunately, due to the mysterious designs of Divine Providence, he did not recover. Therefore we are here to mourn our loss but not in a spirit of inconsolable anguish or bitter sorrow but rather as the students put it so well, in thanksgiving for being enriched by knowing him whether as a relative, teacher or friend. Every life in this church and every life he touched in any way was ennobled by that experience and it was ennobled exactly as the letter said by his wisdom, wit, goodness and gentility.

His academic achievements testify to his scholarship. A B.S. Cum Laude, and an L.L.S. Summa Cum Laude and a Doctor of Jurisprudence. As the fruit of the combination of a brilliant mind and a thorough training and grasp of his profession he produced at least three books and thirty-eight articles in various learned periodicals and publications.

But as St. Thomas once said, wisdom is more than mere knowledge. It is the ability to use what you know in a pragmatic, practical and useful way. And in a science such as Law, wisdom is the indispensable ingredient to make it an instrument of Justice whereby the rights of all men are not only protected but revered and respected. Evidence of his wisdom can be found in many and varied places but most of all in the monument he built to the value and worth of the law in our society. It is constructed not of marble or bronze but much more precious material, the living stones of his myriad of students during the twenty-six years as Professor and Dean of St. John's Law School.

This same wisdom was utilized and expanded also in a number of quasi-judicial assignments, legislative commissions and special committee works. Plus an extraordinary amount of work for the Bar Association and on Boards of Trustees for educational, philanthropic and charitable institutions. To him the law was not merely a sword to cleave through the inequities of the world but more importantly a shield to protect the innocent, the poor, the alienated and the forgotten and neglected segments of our society.

However, what made him such a delight to be with was his lack of pretense and absence of all pedantry. He was as much at home with any one of his many god-children as he was with the outstanding members of his profession be they lawyers, judges, professors or legislators. This pleasure of his company was further enhanced by his wit. A wit that was sharp but never hurtful, that was clever but never derogatory or harmful. As a matter of fact, it was a means whereby he was able to conceal the amount of physical and psychological suffering he had to cope with for years.

For the past twelve years he underwent a series of physical catastrophes that would have crushed a weaker spirit. Yet no word of complaint ever crossed his lips.

This was but the crown of a lifetime of psychic hurt that he must have had to endure but to which he never alluded, because of an infirmity that would have engulfed any

spirit less hardy than his own. It was an unforgettable lesson to all of us who sometimes moan and groan over some much less trying difficulty of either spirit or flesh.

Perhaps this is why he was so gentle to everyone. Aware of his own internal and psychological anguish he seemed determined never to add to another's burden by an unkind word or deed. That is why he could for all his manliness be so tender and compassionate to others whether the other be someone as close to him as his sister Florence during her sickness, or his little twelve year old friend, Matthew Thornton, who although doomed to die, spent some of the happiest and last hours of his short life with just Harold in his waterfront apartment, or perhaps one of his many students whose problems were his problems and whose anxieties were lessened because they knew someone cared.

One time a very famous man was being buried from St. Patrick's Cathedral which was jammed to the doors with an overflow crowd. Someone approached a policeman on duty and said they just had to get in because they were a friend of the deceased. The policeman replied, Sorry I can't help you because everyone is a friend. And I think this is true this morning. We all share this gentle man's friendship and believe that—

"Two things upon this changing earth
Can neither change nor end:
The splendor of Christ's humble birth
The love of friend for friend."

The last quality his students alluded to in their note was his goodness. This was a quality that was obvious in his countenance, in his devotion to the Eucharist, in his complete faith. Father John Flynn, former President of St. John's once said to me that he admired Harold's childlike faith. Notice he said childlike, not childish. By this I believe he meant that once he convinced himself, by rigorous self-analysis that the motives of credibility for his faith were sound, he believed with unswerving fidelity.

Because belief is the motive and well-spring of morality, he could then live up to his Christian ideals sincerely, persistently, and without hesitation or doubt.

The philosophers and theologians tell us that goodness has a tendency to diffuse itself and thus the good man will help all who come in contact with him reflect in some way that goodness also. That, I believe, is the final legacy of this gifted and rare spirit we now commit to God's mercy and judgment.

May I conclude with a quotation from another letter I received this week from a woman I knew in Arizona whose brother had just died. She wrote: "Jim had been in advertising. The priest who knew Jim well ended his funeral eulogy with these words—'The advertisement read, Wanted: a man of God. Position filled.'"

And as we continue to pray together for him in this Mass we offer our sincere and heartfelt condolences to his family, especially his sister Florence, his brothers George and John, and all his friends, particularly his alter ego, Kevin Fogerty, his colleague in the Law School, and legal profession. We also should remember in our sorrow the words on his memorial card, his life is but changed, not ended. Therefore in the words of another great lawyer, Thomas More, as he went to his death, "May we merrily meet in Heaven." Amen.

BIOGRAPHY OF DR. HAROLD F. McNIECE, 1923-72

Dr. Harold Francis McNiece, Professor and former Dean of St. John's University School of Law, died on Wednesday, December 27, 1972 in Brooklyn Hospital.

Dr. McNiece was born in New York on March 20, 1923, graduated cum laude from St. John's University in 1944 and summa cum laude from the Law School in 1945. He received a Doctor of Juristic Science degree from New York University in 1949. He joined the Law School faculty in 1946 after being

an associate with the law firm of Davis, Polk and Wardwell for 1 year following his graduation.

Named a Professor in 1951, he became an Assistant Dean in 1954, an Associate Dean in 1957 and Dean in 1960. He was on the Board of Trustees of Cathedral College of the Immaculate Conception, a past president of the Brooklyn Society for the Prevention of Cruelty to Children and a past president of the Catholic Lawyers Guild of Brooklyn. Dr. McNiece was a member of the American Bar Association, New York State Bar Association, Association of the Bar of the City of New York, Brooklyn Bar Association, Federal Bar Association and American Judicature Society.

In the early 1960's, he served as vice chairman of the Joint Legislative Committee to Implement Court Reorganization, as chairman of the advisory council of the Joint Legislative Committee on Matrimonial and Family Law and as a member of the Executive Committee of the State Conference on Legal Education. He had also served as Executive Director of the Judiciary Committee of the New York Constitutional Convention and as a member of the Advisory Council of the City Board of Public Welfare.

In 1962, he received the highest award conferred on faculty members, the President's Medal of St. John's. He also won the Distinguished Service Award of the Brooklyn Chamber of Commerce, a Distinguished Achievement Award from the Brooklyn Bar Association and the Human Rights Award of the State Division of Human Rights.

In 1963, Dr. McNiece acted as special master in taking testimony on the 1960 air collision of United and Trans World Airline planes in New York. All 128 persons aboard the two planes and six persons on the ground were killed.

The author of case books on torts and on security transactions, Dr. McNiece, in collaboration with Dr. Paul Dudley White, wrote "Heart Disease and the Law", under a grant from the U.S. Public Health Service.

HAIL TO THE CHIEF—OUR PRESIDENTIAL INAUGURATIONS

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Mr. BRAY. Mr. Speaker, in 1969 the late Senator Everett M. Dirksen wrote of presidential inaugurations:

It is entirely appropriate then, that when the people have made their choice that the transfer of governmental responsibility take place publicly, and with the dignity and solemnity commensurate with the investiture of leadership "of the people, by the people, for the people." The inauguration is visible and demonstrative public evidence of the unity of the people of this great nation of ours and of the continuity of orderly patterns of government.

A presidential inauguration may be a transfer of power from one administration to another. If the Chief Executive succeeds himself, then it is a symbol of continuity of government. No matter the occasion, I still believe that basically the American people view an inauguration in the same sense as the literal translation of the word itself from the Latin: "to consecrate or install under good auspices or omens."

The auspices and omens have not always been good, either for the man, or

for the Nation. Yet, I believe there is something peculiarly and indefinitely American about our inaugurations. Down through all of our history, from George Washington's in 1789, they had had elements of drama, tragedy, and comedy that paint some of the brightest dashes of color on the pages of our American annals.

It basically makes no difference which party won when it comes to viewing the ceremony for what it is, what it has come to mean to us as a people, and the symbolism we have invested it with. It makes no major difference whether the ceremony is strictly traditional, nor whether it sees innovations never known before. It is ours, exclusively ours, and it always has been.

I spoke of tradition in the ceremonies; there is one that actually goes back centuries. "Hail to the Chief!" is familiar to all of us, not only on Inauguration Day but at other ceremonies to herald the arrival of the President. But the tune is old, centuries old, so far back it cannot be traced. It was first heard in the rant and skirl of Scottish pipes and must have, over the centuries, sounded across the length and breadth of that land they call the Lion of the North, over the Isles of Skye and across the waters of Loch Rannoch, around the summit of Ben Lothian and down the slopes of the Great Glen, as it was played to announce the arrival of the Chieftain to a clan council.

And there are words; they come from Sir Walter Scott's "The Lady of the Lake," Canto II, Stanza 19:

Hail to the Chief who in triumph advances!
Honored and blessed be the ever-green pine!
Long may the tree in his banner that glances,
Flourish, the shelter and grace of our line.
Heaven send it happy dew;
Earth lend it sap anew;
Gaily to burgeon and broadly to grow.
While every highland glen,
Sends our shout back again:
Roderigh Vich Alpine, Dho! Ho! Ieroc!

"The Lady of the Lake" was first published in 1810. The first recorded use of "Hail to the Chief!" during an Inaugural was for James Knox Polk, on March 4, 1845. James Sanderson, an American of whom absolutely nothing else is known, put the words and music together. But John Philip Sousa, the March King, who should have known if anyone would have, always said it was impossible to determine when Sanderson did this, or when the melody was first played in connection with an American President. The Polk Inauguration was the first of which we know for sure.

Our first Inaugural, Washington's in 1789, had about it elements of confusion and at times almost of comedy that have never been duplicated since. To begin with, the First Congress of the United States dawdled about getting enough Members together for a quorum to even make the election of Washington, as President, and John Adams, as Vice President, an official matter.

The last act of the Continental Congress specified that its successor should convene in New York March 4, 1789, to take the results of the Electoral College. There was a negative feeling toward the Congress, not only among the public at

large but even among its own Members. Repeatedly, less than a quorum appeared; this meant one adjournment after another without any business, and this went on for a month.

Not until April 6 did a quorum show up, after the country began to complain. The next day couriers sped to notify Washington and Adams of what both had known for a month.

Like the first observance of anything, there was confusion, and it all began over a title for the new Chief Executive. John Adams held out for "His Most Benign Highness." The Senate favored "His Highness, the President of the United States of America." Fortunately for the country, the House of Representatives, whipped into line and nudged by the sharp-tongued frontier Representative William Maclay, from Pennsylvania, said what was in the Constitution was enough: "President of the United States." Washington did not want any title at all.

For the record, some other suggested titles: "Excellency"; "His Highness, the President of the United States and Protector of Their Liberties"; "His Serene Highness"; "His Mightiness".

On the appointed day, Thursday, April 30, 1789, the Senate still wrangled over protocol. How should Washington be received? Should he be invited to take a chair? Where? John Adams looked at the crimson chair that symbolized his office. Two men could not sit on it, obviously, so should he give it to Washington? Adams, in frustration, turned to the Senate:

Gentlemen, I feel great difficulty how to act. I am Vice President. In this I am nothing, but I may be everything. But I am president, also, of the Senate. When the President comes into the Senate, what shall I be? I wish, gentlemen, to think what I shall be.

Then someone suggested maybe Washington would not want to sit down. After all, he was coming to make a speech and he would probably do that standing up.

The Senate passed to weightier matters. What about the House of Representatives, when they came into the Senate Chamber? Should they stand, as the House of Commons stood in the House of Lords, for a joint session of England's Parliament? Then someone remembered Commons stood because there were not seats for them in Lords, and for no other reason.

All right, then, but how do we receive the Speaker of the House? Easy—send the Sergeant-at-Arms to the door of the Senate with the mace. Then they remembered they had neither Sergeant-at-Arms nor mace.

About then, the door to the Senate Chamber opened and the Speaker followed by the Representatives pushed his way in. He had his own problems. According to schedule, the congressional escort was to meet Washington at Franklin House at 11 a.m. to accompany him to Federal Hall for the inauguration at noon. It was now well after 11. Do you not think, gentlemen . . . ? Due to jammed streets, the escort got there 1 hour and 10 minutes late. But they managed to get back with Washington.

He was led to the second floor; John Adams was waiting for him inside the

Senate door. He accepted the applause of the joint Congress, unsmiling, then there was silence. Washington looked around for a place to sit down, spotted Adams' crimson chair, and took it. He became aware the Congress was waiting for him, so he said to Adams, "I am ready to proceed."

But no one had arranged anything further. Washington realized this, so he walked to the doors to the balcony at the far end of the room. Adams fell in behind, with Chancellor Robert R. Livingston of the New York judiciary, followed by Secretary of the Senate Samuel Allyne Otis. The congressional escort fell in behind; this group jostled for space on the balcony while the rest of the Congress scrambled for a view from the windows.

He took the oath; Livingston paused a moment, then, softly, said, "It is done." He then turned to the watching crowd below and shouted "Long live George Washington, President of the United States." The crowd cheered; church bells rang; cannon thundered from ships in the harbor. There would be more celebration that night, with a week of parties, and America's first Inaugural Ball on May 7—Martha Washington missed it, as she was still in Virginia, but George, who loved dancing, was always first on the floor. America's first inauguration was over.

John Adams' inauguration, in 1797, was quite drab. Adams loved pomp and ceremony, but there was not any. No show of any kind. Not even a band. No one escorted him from his lodgings. Not even a member of his family was there. He did buy a new carriage; Adams felt it was "simple but elegant enough" but the Philadelphia press—where the seat of the Federal Government has moved—sniffed at it because it was drawn by only two horses.

There were more trials for Adams. George Washington showed up and stole the show. Adams had no reception, no banquet, no ball. Everything was centered around Washington. So, after his inauguration, John Adams went back to his boardinghouse for lunch, as usual, at the head of the table. He then went to his rooms. His only caller was Washington, who stopped to say goodbye. Adams had dinner, as usual, and went back to his rooms, and to bed early, but could not sleep so got up and sat down to write his wife a letter that began:

My Dearest Friend: Your dearest friend never had a more trying day.

Neither of Jefferson's inaugurations had any special ceremony about them, but during the second an incident occurred that was a prelude of what was to come. Jefferson knew hundreds poured into Washington for the event; he reasoned that this was the only chance they had to see the new Executive Mansion, so he told the Washington press that it would be open on Inauguration Day for anyone who wished to inspect it. Mistake: by the time the hordes of visitors poured in, they were much the worse for wear from Washington's numerous bars. The East Room was not yet finished; the cry went up that there was a good place to get souvenirs, and when the mob de-

parted not only was the East Room in a shambles but the tools used by the carpenters and painters had disappeared.

Not until 1817 were inaugurals—except Washington's first—held outdoors; they were all indoors, either in the Senate or the House. They might be there to this day, except for the pique of Henry Clay.

After the city had been burned by the British in August 1814 the residents of Washington feared the seat of Government might be moved. To head this off they raised money to build a temporary Capitol building at First and A Streets, Northeast. Known as Congress Hall, the two-story red brick building went up in 4 months.

President-elect Monroe indicated he would take his oath in the House Chamber, since it was larger than the Senate's. Henry Clay, Speaker of the House, irked because he had not been named Secretary of State, said Congress Hall was not built strongly enough to take the weight of the expected crowd. Monroe did not argue about it; he knew what had moved Clay, so he announced he would take the oath outdoors. Also, this was the first time the Marine Band was to play.

In 1825, John Quincy Adams' inauguration saw several firsts. Outgoing President Monroe escorted Adams to the Capitol, starting a precedent which continues to this day. Adams was also the first President inaugurated in long pants. And, another first, probably never to be repeated, was former President John Adams, now 90, coming down from Massachusetts to see his son sworn into the office.

Andrew Jackson's election as President in 1828 did not please a lot of people. As the city filled for the inauguration, they made no secret of their displeasure: Daniel Webster:

I have never seen such a crowd here before. Persons have come five hundred miles to see General Jackson, and they really seem to think that the country is rescued from some dreadful danger!

One observer said, "it was like the inundation of northern barbarians into Rome," gazing in disgust at the small farmers and backwoodsmen who bought Jackson-style neckties, and patronized barbers advertising Jackson-style haircuts, sleeping five to a bed or on pool tables.

"The reign of King MOB seemed triumphant," growled Supreme Court Justice Story.

"The country is ruined past redemption," moaned John Randolph of Virginia.

The sky had clouded over, but at the exact moment Jackson's party stepped out onto the inaugural platform, the sky cleared and a brilliant sun broke through. This was too much for the crowd; they sent up a prolonged roar that kept up until Jackson had made his way to the podium.

The White House reception that followed is legendary. It is said the White House had the worst mess since the British invasion in 1814. Crowds poured into the East Room; the punch was faced with whiskey and as one sodden mob was pushed out, a fresh batch shoved its way

in. Women fainted; fights broke out; children were handed out of windows. Jackson was pushed back into a corner; a flying wedge of men rescued him, then a frantic White House staff began moving the punch tubs out onto the lawn. The crowd followed; the tubs went farther and farther away until they were outside the gates. So followed the crowd.

Every inauguration had attracted crowds but Martin Van Buren's in 1873 set a record for the time. For the first time in history various political clubs sent delegates. Every possible bed was full with as many occupants as could be crammed into it. Enterprising stables rented bales of hay; one group of Bostonians paid to take turns dozing in the chairs of a barbershop.

Zachary Taylor, inaugurated in 1849, had been a soldier all his life and was proud of it. His inaugural parade had a distinctly military flair, with the odd addition of a band of Chippewa Indians. Taylor had once given their tribe a fearful thrashing, but they seemed to have forgotten it. The crowds were entranced; the Chippewas, getting into the spirit of things, got up at dawn on Inauguration Day and began a victory dance in Taylor's honor. Their own enthusiasm, plus the approval of the crowd, kept them going; they leaped, chanted and screeched for hours.

Taylor's main event for the day, the Grand Inauguration Ball, had 230 sponsors who were among the crowd that cheered wildly when Taylor entered. One of the sponsors was a young Whig Congressman from Illinois named Abraham Lincoln. Taylor stayed until 1 in the morning; the ball roared on until 4.

Then, when the weary guests went to get their coats and hats, they found the servants had fled. A mammoth mound lay piled in the middle of City Hall lobby. There had already been flurries of fights over the food; the sight of a Gibraltar of clothing led to a fresh outbreak, punctuated by curses of men and weeping of women. Somewhere, outside, trudging to his rooming house, bare-headed in the blizzard, was Abraham Lincoln. His hat was somewhere in the pile but he did not care to stay around and fight for it.

Allan Pinkerton, the Illinois detective, caught up with Abraham Lincoln in a Philadelphia hotel room near the end of February 1861. The President-elect was on his way to Washington; Pinkerton added his warnings to one the new Secretary of State, Seward, had sent the day before, as well as a letter from Gen. Winfield Scott. There was a plan afoot to kill Lincoln when he went through Baltimore and Pinkerton wanted Lincoln to head for Washington at once on a one-car special train.

Lincoln refused; he was scheduled to address the Legislature and raise the flag over Independence Hall for Washington's Birthday. Lincoln brushed them aside; Jefferson Davis' inaugural address had just been released, and he wanted to read it.

Pinkerton left, got the services of John Nicolay, Lincoln's secretary, and cooked up a plan which, with some difficulty on their part, Lincoln agreed to. The flag-raising in Philadelphia and the legisla-

ture visit in Harrisburg went as scheduled. Then, Lincoln was hustled to the Governor's mansion, dressed in a Scottish shawl and tam, and taken by servant's door and back alleys to the rail yards. A special train for Philadelphia was waiting; the moment it left, men cut the telegraph wires out of Harrisburg and stopped all railway traffic. If anyone knew the President-elect was on his way, they could not tell anyone else.

In Philadelphia the train stopped in the outer yards and Lincoln was led to the regular Washington sleeper. A section for three had been reserved under false names. Lincoln took the middle; on either side two Pinkerton men, drawn revolvers in their laps, sat awake. The train passed through Baltimore safely and at 6 in the morning Lincoln was in Washington. A wire went to Mrs. Lincoln in Harrisburg: "Plums delivered nuts safely."

There were more stories to come. A secret organization of Carolinians, known as the Minute Men, had sworn to be in Washington on March 4 with rifle and revolver to prevent inauguration of an abolitionist President. There was an Alabama conspiracy to burn the Capitol and the Treasury. Twenty-five Texans, armed with knives, were going to stab the President in his carriage.

Oddly enough, Lincoln was more or less left on his own in the city until Monday morning, March 4. Then someone remembered; mounted couriers dashed through the city and within the hour the tramp, tramp, tramp of a contingent of Federal troops was heard in the vicinity of the Capitol.

President Buchanan planned to call for Abraham Lincoln at Willard's Hotel at noon, but was late. When the two came out, there was Buchanan's closed carriage waiting for them. Lincoln demurred; he wanted an open carriage to see the crowds and so they could see him. Parade officials muttered; a six-horse barouche was brought up; more orders went out, and as soon as the carriage moved away from the hotel, Federal cavalry units moved down upon it from each side.

The procession moved up Pennsylvania Avenue. Cavalry patrols were at each cross-street as they passed, the men heavily armored. As they pulled up in front of the Capitol, muzzles of sharpshooters' rifles gleamed from the Capitol windows. Barely visible over the rise of a hill opposite was a battery of artillery. No one was taking chances on anything.

Vice President Hannibal Hamlin was sworn in, with ceremonies in the Senate chambers. The dignitaries moved toward the door, but no one wanted to be first on the platform. Finally Senator Stephen Douglas, of Illinois, loser in the election, headed the line. Lincoln was the last to appear.

Five weeks later the country was fighting itself.

In 1865 the Civil War was still on but the worst was over, and the end was in sight. It was clear it would last only a short time. The evening before, Friday, March 3, Lincoln was in his office until past midnight, studying and signing legislation, and was at it again in the morning of Inauguration Day. He was touchy about this; he allowed no one to influ-

ence him on a bill he did not approve. One Representative, sponsor of a particular reconstruction measure on his desk, kept hovering around the door. Lincoln lost his patience:

I told you twice, goddammit—no.

One of the ugliest incidents on record dealing with inaugurations came when Vice President Andrew Johnson of Tennessee was sworn in in the Senate chambers. He was still recovering from typhoid fever and at first had not wanted to come at all. Lincoln insisted; it would, he said, be safer.

Johnson had come in to Washington Friday evening and spent the evening drinking with friends. Saturday morning, before he took the oath, he had a bad hangover, and knew it. Thinking the hair of the dog would help, he asked for some and was given brandy. By the time his ceremonies were ready he was shambling drunk, and the performance ruined him forever.

Lincoln's party crossed through the rotunda of the Capitol toward the platform. As they did so, a young man broke police ranks and almost grabbed him. A would-be assassin? The police questioned him, then let him go. It was John Wilkes Booth, who proceeded to find himself a spot to view the proceedings outside on the Capitol steps.

It had been raining all morning but the crowd was large and in good humor. It was right at 1 o'clock when Lincoln stepped onto the platform and approached the lectern. What happened next was, for many, like during Jackson's Inauguration, a sign of good fortune: the clouds broke and a shaft of sunlight flared down onto the Capitol building.

The next day was Sunday, so festivities were put off until Monday, when the official inaugural ball was scheduled in the new Patent Office Building. A grand buffet was promised, with tickets at \$10 apiece, and a man could bring as many women guests as he wished. The Lincolns arrived at 10:30; the supper buffet was scheduled for midnight in the west room, which could accommodate about 400 at a time. The idea was good: the guests would come in groups of 400 each, eat, then leave.

It did not work that way. When the doors were opened all 4,000 tried to storm the door at once. The President and Mrs. Lincoln viewed the scene, amazed. "It looks," said Mrs. Lincoln, "like a scramble." "Well," her husband responded, "it appears to be a very systematic scramble." They left, with the help of a friendly waiter who took them out the back way.

Lincoln's second inauguration at the Capitol was recorded by the camera and what we have today is a photo that surely must rank as one of the most morbidly fascinating of all time. The shadow of peace was on the country, yet, the shadow of death hovered over Abraham Lincoln. He himself sensed something, and had told friends and relatives of strange dreams. In one, he found himself in the White House, and was told the President was dead. In another, he had dreamed of a ship putting out into the darkness.

Looking, today, at that picture recording an event now over a century old, one

feels it was staged by the Fates, and that somewhere, overhead, the flapping of the wings of the Furies could have been faintly heard. For Abraham Lincoln, the "harry of midnight cavalry" was still riding the wind. There, in the crowd, caught by the camera with thousands of others—and historians have now made positive identification of the faces—were John Wilkes Booth and four other conspirators of the Lincoln assassination.

Grant's first inauguration in 1869 gave many people a chance to see, for the first time in person, a man who was nearly legendary to the country at large. His composure impressed everyone; he knew every eye was on him. He read his speech in about 10 minutes, in a voice so low it could not be heard over 15 feet away, but the crowd did not mind. They were more interested in something else. As he came to the end of each page, he carefully wet his thumb and forefinger before turning it; the crowd was delighted with the sign that their President was just a plain, simple man.

But there was one other incident as well, probably one of the most touching in all inaugural history. Little Nellie Grant, his daughter, was on the platform, wedged in with the rest of the family behind the Supreme Court. Just as her father was finishing, Nellie left her seat, walked to her father's side, and stood there holding his hand as he read the last words. At the end of his speech, the crowd roared its approval for Nellie as well as for her father.

Grant's second inaugural was the coldest on record—winds of 40 miles an hour, and the temperature at 16 above. This led to the most mammoth failure of an inaugural ball ever known.

Past inaugurals had meant traffic jams, confusion, crowding, so this time the inaugural committee had a temporary building erected on where Judiciary Square is now located, at \$40,000. They were determined to do everything right; nothing was spared for decorating, nor for food; the list is worth repeating:

Ten thousand fried oysters; 8,000 scalloped oysters; 8,000 pickled oysters; 63 boned turkeys; 75 roast turkeys; 150 capons stuffed with truffles; 15 saddles of mutton; 40 pieces of spiced beef, each weighing 40 pounds; 200 dozen roast quail; 100 50-pound game pates; 300 tongues and 200 hams, ornamented with jelly; 30 baked salmon; 100 chickens; 400 partridges; 25 stuffed boars' heads; 40 10-pound pates de foie gras; 2000 head-cheese sandwiches; 3000 ham sandwiches; 3000 beef-tongue sandwiches; 1600 bunches of celery; 30 barrels of salad; 2 barrels of lettuce; 350 chickens and 2000 pounds of lobster and 6000 eggs, all boiled for salad; 1 barrel of beets; 2500 loaves of bread; 8000 rolls; 24 cases of Prince Albert crackers; 1000 pounds of butter; 300 17-pound charlotte ruses; 200 moulds each of wine jelly and blanc mange; 300 gallons of ice cream; 200 gallons of flavored ices; 400 pounds of pastry; 150 large cakes; 60 pyramid cakes; 25 barrels of Malaga grapes; 15 cases of oranges; 5 cases of apples; 400 pounds of mixed candies; 10 cases of raisins; 200 pounds of shelled almonds; 300 gallons claret punch; 300 gallons of coffee; 200 gallons of tea; 100 gallons of chocolate.

There were even live canaries, singing in their cages. But no one had thought to provide a heating system for the building. Those who came could not even take off their coats. The musicians were too cold to play. No one felt like danc-

ing. The food went untouched. By midnight, the hall was empty. The canaries? They froze to death.

Grover Cleveland's inauguration in 1885 was the first for the Democrats in 28 years. Cleveland celebrated by not using a manuscript for his speech, bringing from Senator John Ingalls the remark:

God, what a magnificent gambler!

It was also marked by the inaugural ball being held for the first time in the Pension Building, a mammoth structure, which could, and did, accommodate 18,000 guests. This time, to avoid the confusion at past balls, letter sorters from the Post Office were detailed to operate the cloakrooms, and traffic was strictly controlled. One entrance for guests on foot, or hacks; another for those with their own vehicles; those who were staying only a short while, yet a third. Two supper rooms: \$1, and eat all you wanted, with no more than 500 at a time in either one. Wine in separate rooms, to keep drunks out of the way.

Theodore Roosevelt's inaugural address in 1905 contained a strangely prophetic clause, applicable in 1905, and equally applicable today:

We have become a great nation, forced by the fact of its greatness into relations with other nations of the earth, and we must behave as befits a people with such responsibilities. Modern life is both complex and intense, and the tremendous changes wrought by the extraordinary industrial development of the last half-century are felt in every fibre of our social and political being. . . . If we fail, the cause of free self-government throughout the world will rock to its foundations, and therefore our responsibility is heavy, to ourselves, to the world as it is today, and to the generations yet unborn.

So, what to make of these quadrennial events in the overall picture and pattern of American history? Some aspects of our inaugurations have had splendor and pomp and glitter that would compare favorably with the Court of Versailles under Louis XIV. And, in contrast, there have been incidents of humble, touching simplicity as well. These things have been known in the past and I am sure we will experience them in the future, in varying degrees.

I would think, though, that the most significant thing about them—past, present, and future—is the pattern of continuity and stability that they convey not only to the citizens of our American Republic, but to the world at large. A major political question, one with effects ranging far beyond our shores, has been decided for the next 4 years. It is possible, with certain allowances, to know the general direction in which the American Republic will move.

Those, then, are the two prime colors in the picture. Surrounding them, complementing them, adding those brilliant facets that mirror human behavior and human hope and human failing, are the myriad of incidents I have only briefly begun to recount here.

And, the overall picture should be taken by us, this Republic's citizens, and by the rest of the world, as what we have been, what we are, and what we strive to become. For myself, I find it bright and honorable; not without its touches of pet-

tiness or its shadows of tragedy, to be sure. But before another inauguration is observed, we will have passed the 200th anniversary of our establishment as a nation, making us the world's oldest republic, other than Switzerland. This alone says much for us and our institutions.

Let us, then, reflect on this, during this inaugural period, a time for both solemnity and celebration, for both humility and pride. For our end is not yet in sight, and many pages of our annals are yet to be covered before the book is closed, if, indeed, that time is ever to come.

THE PRESIDENT'S HOUSING MORATORIUM

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Mr. KOCH. Mr. Speaker, in 1949 the Congress established as a national goal the provision of "a decent home and a suitable living environment for every American family." For 20 years this goal was largely unmet. In 1968, the Congress reaffirmed this goal in more specific terms in projecting a 10-year national housing effort of 26 million new or rehabilitated units, including 6 million units of publicly assisted housing. Yesterday, Secretary George Romney in a speech to the National Association of Home Builders in Houston confirmed a series of rumored White House plans to place a freeze on new commitments for publicly assisted housing and related community development activities. These actions threaten to destroy the hope to provide a decent home—for every American family.

Initially under the leadership of Secretary Romney, the Nixon administration used a variety of programs and devices to stimulate housing production and increase the number of units for low- and moderate-income families. In fiscal year 1970, HUD-assisted new housing starts reached 365,090 and in fiscal year 1971, 341,400. Although these magnitudes were insufficient to meet the pressing needs of the Nation, they did represent a significant increase over previous efforts. However, by calendar year 1972, the number of such starts fell off to 250,000 simply as a result of administrative fiat and not because of a lack of appropriated funds. This decrease represents in toto the loss of a city large enough to shelter 500,000 persons.

In his speech, Secretary Romney announced that the 250,000 level will be maintained for the next 18 months through the utilization of projects which are already well into the processing pipeline. The proposed level will prove to be increasingly insufficient as the existing housing stock ages and as more families are priced out of the unassisted housing market due to continued price increases estimated at twice the rate of the economy in general.

Beyond these considerations the White House's actions represent a break of faith with congressional intent as expressed in legislation and appropriations.

Even if funds are restored to the levels reflected in congressional appropriations after 18 months, planning and development for new construction will have lapsed during the moratorium and it will take a number of months to get moving again. Furthermore, sponsors and builders will have lost faith in the program's continuity and will be hesitant to commit time and money when the possibility of another severe cutback may still exist.

In New York City alone, the Nixon administration's actions will halt planning and development of about 30,000 units of new housing in the next 18 months representing some \$1 billion in construction activities. Not only will planning for virtually all new housing for low-, moderate-, and middle-income families be stopped, but as existing commitments are completed thousands of jobs in construction and housing related industries will be lost.

In combination with the announced freeze on new commitments for such community development programs as water, sewage, and open space grants, and public facility loans, the moratorium on assisted housing is a clear indication of the President's lack of concern for the problems of America's metropolitan areas. If the White House is using these cutbacks as a blackmail weapon to force the Congress to hurriedly pass its special revenue sharing program for community development, then millions of families through the Nation will become needless victims of this attempted power grab. Certainly, the Federal housing and community development programs need to be continuously reviewed and revised where necessary. The White House's strategy of massive cutbacks under the guise of reform and preserving existing funding levels will not help achieve this aim and can only result in the most drastic consequences.

Last week, I sent a letter to President Nixon protesting the rumored moratorium. Now that the White House has decided to proceed with a housing moratorium, I pledge my full efforts as a member of the Banking and Currency Committee to restore and improve the programs which the President has so callously cast aside.

My letter to President Nixon of January 4 follows:

HOUSE OF REPRESENTATIVES,
Washington, D.C., January 4, 1973.
President RICHARD M. NIXON,
The White House,
Washington, D.C.

DEAR PRESIDENT NIXON: On December 21st, the National Housing Conference issued a news release indicating that the White House was planning an eighteen month moratorium on the HUD subsidy programs as well as substantial cuts in the Model Cities and Urban Renewal efforts. Although the various federal housing programs should be continuously reviewed and revised where necessary, such a broad gauged cutback will result in the most dire consequences and severe dislocations.

The Congress in the 1949 Housing Act put forth as a national goal the provision of "a decent home and a suitable living environment for every American family." This goal has been reaffirmed in numerous legislative actions and supportive appropriations. Without federal housing subsidies, there will be a virtual halt to the construction of new housing for low and moderate income families. The projected ten year national housing goal

of twenty-six million units, including six million units of publicly assisted housing, will simply not be realized.

Not only will the proposed moratorium destroy the intent of every Housing Bill since 1949, but it will cause substantial losses of jobs in construction and housing related industries. Certainly, the nation can not afford additional unemployment and the dampening of economic activity in a key sector at the present time. Further, the moratorium will work a hardship on the many non-profit sponsors, private developers and governmental entities who have invested time and funds on housing projects based on the expectation of federal assistance.

I can only urge that the proposed moratorium be reconsidered and rejected. Instead, let us work together to provide more viable and responsive housing programs.

Sincerely,

EDWARD I. KOCH.

A PROFILE OF PETER BRENNAN

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Mr. DELLUMS. Mr. Speaker, Mr. William Gould, a professor of labor law at Stanford Law School, has been writing for some time on government, minorities, the labor movement, and the role of law in securing full employment opportunities. He recently wrote an incisive article in the Nation magazine. I include this article in the RECORD:

LABOR AND NIXON—MOVING THE HARD-HATS IN
(By William Gould)

President Nixon's appointment of Peter Brennan, head of New York City's building trades, as Secretary of Labor is not merely a "political payoff." To be sure, Mr. Brennan's oft expressed enthusiasm for the President's domestic and foreign policies demonstrated sufficient political fealty. Brennan first gained national recognition when he led demonstrations in lower Manhattan to support the Nixon war policy in Indochina—demonstrations in which a number of students holding contrary views were beaten up.

But much more is involved. The Nixon Administration is attempting to establish a firmer foundation for its newly won blue-collar constituency. In so doing, it has cleverly widened the cleavage between the industrial unions—whose leaders piously praised Brennan for the record—and the more conservative crafts, whose social vision does not extend further than the next wage increases for their white memberships.

For the first time since the Roosevelt New Deal coalition formed forty years ago, the unions in 1972 deserted the Democratic Party in significant numbers. And for the first time, the workers themselves deserted the Democratic standard bearer as well. A recently released Gallup poll shows that 54 per cent of union families voted for Nixon—56 per cent supported Senator Humphrey in 1968.

The defection of organized labor's leadership from the McGovern-Shriver campaign was heralded by the announced neutrality of AFL-CIO President George Meany and I. W. Abel of the Steelworkers. These gestures were followed by active support for President Nixon's candidacy provided by the International Brotherhood of Teamsters. Teamster President Frank Fitzsimmons was the only labor member of the Pay Board not to resign last March; by a coincidence, the White House announced withdrawal of compulsory arbitration legislation aimed at transporta-

tion disputes almost simultaneously with the Teamster endorsement. Although Senator McGovern had the most endorsements from labor (eight of the major unions backed him—among them the UAW, Retail Clerks, Machinists, and State, County & Municipal Employees), the erosion of traditional unanimity damaged the Democrats.

Mr. Brennan explained the position of approximately thirty New York City unions, including the Patrolmen's Benevolent Association, the Fire Fighters and the Sanitationmen's unions at the formation of the Labor Leaders Committee for the Re-election of Nixon: "We put our country first." A day earlier in Washington, seventeen building trades internationals, accounting for 3.5 million of the AFL-CIO's 13.6 million membership, had denounced the McGovern policies as "unacceptable" and said: "We are convinced that the election of President Nixon will serve the interests of our members as Americans and building tradesmen."

Accordingly, the Brennan appointment is a straightforward attempt to serve those interests—and to serve them at the expense of the more progressive industrial and public employee unions (like the UAW and State, County & Municipal Employees union), as well as minority groups traditionally excluded from the five almost exclusively white mechanical trades in construction. (These are the plumbers and pipefitters, electrical workers, sheet metal workers, ironworkers and operating engineers.)

When Brennan was questioned at a press conference after his nomination about bringing minorities into the building trades, he said "I'm all for it." But he cited as proof his support for the Department of Labor's Outreach project—a program which admirably demonstrates the policy of "tokenism" as practiced by both government and the crafts. (According to AFL-CIO estimates less than 5 per cent of the apprentices selected by Outreach in areas where it operates are from the minorities—and in the mechanical trades these workers are still three to five years away from journeyman status.) Brennan's real attitude seems to be reflected by a statement that he made, according to The New York Times, in response to the 1963 civil rights demands: "We won't stand for blackmail. We had that from the Communists and the gangsters in the thirties."

More indicting, however, is Brennan's antagonism toward policies devised to integrate the trades by the Nixon Administration itself—e.g., the Philadelphia Plan. (Actually this approach was conceived under Johnson but implemented by Nixon.) This is hardly surprising in light of the AFL-CIO's position on the 1969 plan. Its concept, now embodied in procedures established by the Department of Labor for Atlanta, San Francisco and St. Louis, provided for hiring black tradesmen in accordance with "goals and timetables" devised by the Department. Almost from the start, the AFL-CIO's civil rights department has declared war on this policy, choosing to characterize it as the adoption of "illegal quotas." Because of this resistance, the Administration began a steady retreat in 1970, relying on a so-called "hometown plan" approach for construction work, rather than the governmentally imposed Philadelphia program. One obvious advance was to be that the crafts would now begin to permit minorities, as well as whites, to come in as trainees rather than only as apprentices. (Actually more than 70 per cent of construction tradesmen enter the industry through the "back door," i.e., routes other than the formal apprenticeship system. The only gateway for minorities is the more rigorous apprenticeship program.)

Yet in early 1972, the chief of the agency supervising this Labor Department program—the Office of Federal Contract Compliance—resigned because of what he characterized as "illusionary and cosmetic policies." The retreat became a rout when on Au-

gust 18, in response to an inquiry from the American Jewish Congress, Mr. Nixon stated his views on "quotas": "I share the views of the American Jewish Congress in opposing the concepts of quotas and proportional representation. . . . I do not believe that these are appropriate means of achieving equal employment opportunities." More significantly, a week later the President ordered the Civil Service Commission to undertake a "complete review" of all agencies to determine that no "quota" systems were in effect. And former Secretary of Labor Hodgson simultaneously circulated his own "review memo" along the same lines—thus applying the same inhibiting principles to the government's efforts which require contractors to take positive steps to recruit minorities into their work forces.

In any event, the hometown plans are now completely discredited by most objective observers. The reason is evident. The approach is predicated on the dubious proposition that the construction unions and contractors can monitor their own commitments to abide by the law—even though they have been among the principal offenders in the past.

Moreover, the plans do not even purport to deal with any of the institutional barriers which the crafts have thrown in the way of minority applicants. None of the plans revises union-employer apprenticeship requirements as to the number of people to come into the program, the type of entrance examination that is to be given, the curriculum that is provided once an apprentice is indentured, or the duration of the program itself. On the basis of most of the evidence available from litigated discrimination cases, neither the content of examinations nor the nature or duration of the training seems geared to the actual needs of the job. The effect is to let in primarily those minority youngsters whose formal education and labor attitude qualify them for college—whereas many ghetto high school dropouts who lack a background in algebra and trigonometry, but who could do the work, are excluded.

Finally, even in cities where voluntary programs have been relatively successful as, for example, in Boston, the government has not issued reports or audits to show whether employees who are being counted as successful minority group recruits were actually working on a regular basis.

Nevertheless, despite all these deficiencies and the obvious willingness of most craft unions to devise such programs as a hedge against legal action that might be taken against them, Brennan vociferously objected to the introduction of a watered-down hometown plan in New York City. One Department of Labor official said of his position two years ago: "We couldn't get that guy to accept anything—and finally when he decided that some kind of plan was necessary, he shoved his own version down our throats through the White House."

The plan for New York that was finally accepted by the Department of Labor had no minimum wage, ran for only one year, and did not oblige the unions to admit any black employees at any time. However, the firms which adhered to this plan were deemed "automatically" in compliance with the Executive Order that prohibits discrimination by contractors and requires affirmative action to include minorities in the work force.

Further, the Secretary of Labor-designate is predictably antediluvian when it comes to any question of revising apprenticeship programs. A prominent liberal vice president of an industrial union expressed his amazement when Brennan stood up at a recent Washington meeting of the Bureau of Apprenticeship and Training to defend a five-year apprenticeship program for the painters (Brennan is a member of that union). Said Brennan: "When you see a worker painting a ceiling and you can see the paint running

down his arm, then you know that he hasn't been through a five-year apprenticeship program."

Accordingly, while one can expect appropriate gestures, such as the establishment of more hometown and Outreach apprenticeship plans, the possible appointment of a black trade unionist to the Department of Labor, and the announcement of a slightly beefed-up New York City Plan before Brennan comes up for Senate confirmation, the man is essentially hostile to equal-employment opportunity. Moreover, Brennan's opposition to the Philadelphia Plan, like that of George Meany, apparently means the end of any imposed plan even where the crafts deliberately flout their legal obligations. (This, of course, assumes that responsibility in this area is not transferred from the Department of Labor to some other agency, perhaps the Office of Management and Budget—although even if OMB got control, the results would probably not be any better.) Indeed, it is interesting to note that the Chicago Plan, once hailed by both Meany and Secretary of the Treasury George Shultz as the hometown answer to the Philadelphia Plan, has floundered for three years and has just recently been restarted from scratch. One can properly assume that a policy of voluntarism will once again be the signal to avoid legal obligations.

Another effect of the Brennan appointment will be to rescue those unions which have been somewhat beleaguered because of their performance on issues other than race. After all, it is designed to please that segment of the labor movement most often attacked both for its resistance to productivity and work rules and for its jurisdictional squabbles. The establishment of wage restraint machinery for construction in advance of Phases I and II acknowledged the fact that inflationary wage demands in that industry were being emulated throughout the economy by industrial unions and others.

Attempts to form a new blue-collar constituency do not stop with the construction trades. Frank Fitzsimmons of the Teamsters was offered the Secretary of Labor position before it went to Brennan. He has switched his Washington law business from the Edward Bennett Williams law firm, which represents the Democratic Party in the Watergate litigation, to a law firm soon to be joined by White House assistant Chuck Colson, a principal sponsor of the Nixon trade-union alliance and also involved in the Watergate matter. Fitzsimmons' dismissal of Harold Gibbons from the Teamster executive board because of the latter's support for Senator McGovern is another major step toward making the Nixon-Teamster relationship more permanent.

One by-product of this new Nixon-labor alliance is that black trade unionists—alarmed by the AFL-CIO's "neutrality" toward an Administration that is appropriately regarded as anti-black—rushed to the side of Senator McGovern during the past campaign under the stimulus of a newly formed Coalition of Black Trade Unionists. This organization, though engendered by the 1972 elections, is intended to be permanent. According to William Lucy, the youthful and extremely able secretary-treasurer of the American Federation of State, County & Municipal Employees union and one of the most prominent black trade unionists in the country, the group will try to work within the trade-union movement. But the going will be difficult because the white unionists who switched to Nixon in such large numbers are upset by the racist issues which he used so skillfully—that is, quotas and bussing.

The question of whether all this will undo what forty years have put together cannot yet be answered. While Democrats can easily bounce back in 1976—certainly the UAW and AFSME, as well as some other industrial and public employee unions will remain part of the coalition—it remains to be seen whether the construction and building trades, and

more important, the AFL-CIO itself, which they have dominated so successfully, will make a significant contribution. Peter Brennan's appointment makes the question loom larger.

THE ANTIHIJACKING ACT OF 1973

HON. HAROLD R. COLLIER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Mr. COLLIER. Mr. Speaker, one of the most important matters of unfinished business from the last Congress is the problem of aircraft piracy. In an effort to deal with this problem, last week I introduced H.R. 99, the Antihijacking Act of 1973.

Aircraft hijacking is a supercrime that embraces several crimes: Murder, stealing, kidnapping, extortion, piracy, and sabotage. This highly dangerous activity must be stopped and the criminals who engage in it must be promptly and inevitably brought to justice, be they hardened criminals, youthful adventurers, publicity seekers, revolutionaries, or psychopaths.

Ever since the hijacking of aircraft began, I have felt that stronger laws, stiffer penalties, and rigid enforcement would be necessary if we were going to put a halt to this crime. The problem was complicated by the fact that seizures of aircraft owned and operated by American airlines and the consequent danger to American citizens could occur while the planes were flying over foreign countries or over the oceans, thus being beyond the jurisdiction of the United States. The measure that I dropped into the hopper shortly after the House of Representatives organized for business is an effort to remove some of the complications.

In a serious effort to curtail aircraft hijacking, many nations have become parties to international agreements that are designed to deal effectively with the problem. These include the Convention for the Suppression of Unlawful Seizure of Aircraft, also known as the Hague Convention, which became effective on October 14, 1971, and the earlier Convention on International Civil Aviation, also known as the Tokyo Convention.

Besides incorporating the security provisions of the Tokyo Convention into the legal code of the United States, my bill would, if it becomes law, strengthen domestic statutes on the subject of air piracy. The President of the United States will have the power to suspend the right of any domestic or foreign air carrier to operate to and from a foreign country that is acting in a manner inconsistent with the Hague Convention. The Chief Executive will also have the power to suspend the operations of any foreign air carrier between the United States and a foreign country which continues air commerce between itself and a country which is acting inconsistently with that convention.

The bill which I have introduced provides that the Secretary of Transportation will, if he secures the approval of the Secretary of State, have power to withhold, revoke, or impose conditions on operating authority of the airlines of

a nation that fails to meet the security measures at or above the minimum standards of that convention. This power, like that given to the President, is permissive.

My bill also provides for civil penalties up to \$1,000 per day for violations of suspensions imposed by the President and authorizes the Attorney General to seek judicial enforcement of such suspensions.

The Air Transportation Security Act of 1973, which is another title of my bill, provides for the screening of passengers in air transportation and for an air transportation security force, besides dealing with such matters as authority to refuse transportation—to those who refuse consent to searches of their persons or property—and carrying weapons aboard aircraft. While I respect the views of those who have legitimate and reasonable objections to such searches, often based on constitutional grounds, I invite their attention to the screening and searching to which people who conduct business or travel inside and outside the country are already subjected.

Visitors to the U.S. Capitol and the House and Senate Office buildings, the Supreme Court building, the White House, and the numerous buildings that serve the executive branch are subjected to screening and searching. Americans who cross international boundaries are not only screened and searched when they enter other countries, but must be screened and searched upon their return to their own land. While they may not like it, they submit more or less willingly as they realize its necessity.

Air travel has become less hazardous in recent years as planes have been improved mechanically, safety devices have been perfected, and pilots have been better trained. Why not make it even safer by doing everything possible to prevent hijacking?

Mr. Speaker, let us do all in our power as the people's representatives to speed the day when aircraft piracy will be a thing of the past. A stronger law is imperative if we are going to prevent more and worse crimes in the air. Legislation with teeth in it should be sent to the White House at the earliest possible opportunity.

A TIME FOR CANDOR

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Mr. McCLORY. Mr. Speaker, it is difficult for me to express opposition to the President in the handling of any subject relating to our domestic or foreign affairs. However, the President's decision to authorize extensive bombing of North Vietnam above the 20th parallel—following suspension of negotiations in Paris—has puzzled, and disappointed me.

Mr. Speaker, while there may have been justification for this type of violent and destructive military action, I have no information upon which to condone this step.

Mr. Speaker, it is most unfortunate that the President has felt unwilling or unable to consult with the leaders and Members of Congress regarding this action. A wide gap has developed between the White House and the Congress as a result.

This gap appears to be widening and would suggest the desirability of prompt communication on the subject of recent actions in Vietnam as well as the current status of negotiations, looking toward a final termination of this dreadful and seemingly endless conflict.

Mr. Speaker, a most enlightening editorial appeared in Saturday's Chicago Tribune—a newspaper which has given President Nixon generous support throughout his public career. The message of this editorial suggests the desirability of prompt communication between the President and the Congress—as well as the American people. The editorial follows:

A TIME FOR CANDOR

Wherever President Nixon looks, he sees erstwhile supporters dropping away, sympathetic columnists beset by doubts, and habitual critics making increasingly wild charges. November's landslide majority appears to be wilting under January's freeze. The White House seems isolated from the rest of government, the press, and the people, and the climate is one of mutual suspicion.

The source of Mr. Nixon's present troubles, of course, is Viet Nam. The resumption of the bombing, since Dec. 18, has brought distress to friend and foe alike around the world, and now threatens to bring a confrontation with Congress which could be disastrous not only for our foreign policy but for future relations between the White House and Congress. The situation cries for candor on the part of the President, and for explanations which have been lacking.

It isn't that there are no explanations for the administration's actions. Quite the contrary. Mr. Nixon has achieved remarkable successes during his first term. In foreign relations he has bridged gaps that existed for a generation. In Viet Nam he has reduced our ground troop strength to nearly zero. At home he has tamed an inflation that was rampant when he took office. The campus revolution of the Johnson days has subsided.

In view of this record, one can logically assume that there are plausible explanations for the new bombing and for its ferocity. Some have been hinted at. Hanoi may have reneged on agreements made last fall. There may be a reason to know that a sudden and forceful jolt would persuade Hanoi that we are not to be toyed with. The resumption of talks, set for next week, suggests that this may have worked. There may be good reason to urge Congress to keep quiet while the negotiations continue. Maybe there will be an agreement by Jan. 20, the end of Mr. Nixon's first four years in office and a deadline by which he obviously hopes to have peace.

But in the present frigid atmosphere, these maybes may be irrelevant. Congress is aroused. It has been told before to keep quiet during negotiations, and the negotiations fell thru. Sen. Saxbe, once a supporter of the President, has deserted. Sen. Mansfield, sometimes a mild critic and often a supporter of the President, now speaks in threatening terms.

For all these reasons, Mr. Nixon has every reason to want to bridge the biggest gap of all—the communications gap at home—and to welcome closer contact with the press, Congress, and other government agencies which have felt left out. Instead, the process of withdrawal persists. There has not been a press conference since last October. When

announcements are made, they tend to be inadequate or inept, as the effort to blame the bombing of a hospital in Hanoi on North Viet Nam's own weapons.

The White House is understandably irked by the attitude of the more vindictively liberal publications and broadcasters who seem to think that Mr. Nixon is wrong whatever he does. But its reaction smacks of vindictiveness, and is alienating other newsmen who might normally support the President.

At home as in Viet Nam, Mr. Nixon has done what he thought was right even though he knew his action would be unpopular. For the good of the economy, he has vetoed bills and cancelled programs even though he knew he would be denounced for doing so. Many of his appointments stress his determination to hold down federal spending no matter whose toes may be stepped on. For this political courage he deserves credit, not abuse.

But unless he is more communicative and candid with the people, the merits of his position will mean little. He will be like the motorist who was right, dead right, as he sped along—but is just as dead as if he were wrong. The suspicion which now exists on both sides is not likely to vanish by itself, no matter how successful next week's peace talks prove.

PENSION REFORM

HON. TOM RAILSBACK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Mr. RAILSBACK. Mr. Speaker, every American—regardless of education, income, profession, race—is confronted by the same perplexing problem: How will I support myself in my old age? One answer is to be covered by a pension plan—a plan established by an employer, union or both, which provides cash benefits for life to the qualified worker upon retirement. Usually benefits are financed by regular contributions by the employer, and, in certain cases, by the employee himself.

The rationale behind providing pension plans is that the security they provide will encourage persons to be better employees. The production level will be raised and morale improved because older employees will be able to retire.

The first industrial pension plan in the United States was established in 1875. At that time, the American Express Co. developed a pension plan which provided retirement benefits to employees who had reached the age 60 and who had dedicated 20 years of service to the company.

Railroads followed the American Express Co.'s lead and adopted pensions as a convenient way of mustering out engineers and trainmen who were too old for their jobs. By the turn of the century, unions began financing their own plans. In the 1920s, some local and State governments acted similarly on behalf of their workers. Passage of the Revenue Act of 1921, allowing tax exemptions for employer payments to trust funds, encouraged still other employers to set up their own plans.

However, as late as 1925, only 400 pension plans actually existed in the United States. Further, about one-third of the 4 million persons covered by

pension plans were employed by the four largest corporations: American Telephone & Telegraph Co., the New York Central Railroad, the Pennsylvania Railroad, and United States Steel.

Not until the 1940's did pension plans really emerge as a major economic and social force in our economy. When wage and salary controls were imposed during World War II, many companies began giving pensions instead of raises to their employees, and used their wartime profits to finance the plans. The number of persons covered by pension plans increased from 4 million in 1940 to 10 million in 1950.

In 1949, there was a tremendous surge in the number of pension plans. That year, the Supreme Court upheld the National Labor Relations Board's decision that pensions were a proper issue for collective bargaining. Also, the steel industry's fact-finding committee concluded that the industry had a social obligation to provide workers with pensions.

Presently, private pension plans cover over 30 million workers, nearly one-half of all persons who work in commerce and industry, and have assets of at least \$150 billion. These funds will probably increase by another \$15 billion this year. However, such facts tell us very little about the ultimate benefits the employees actually receive. While pension plans have been expected to perform a major service to millions of Americans, they serve far fewer than is commonly assumed and will continue to fall short of expectations unless greatly improved.

The U.S. Senate Special Committee on Aging predicted that only one-third to two-fifths of all aged persons in 1980 will receive incomes from private group pensions, and virtually none of their plans take into account cost-of-living increases.

The House pension study task force reported that employees with long service, high earnings, and union membership who work in manufacturing, transportation, finance, and public utilities are most likely to participate in a pension plan. The persons who have a relatively short service, who are unskilled and semi-skilled, nonunionized, and who earn low wages are those least likely to participate in a pension plan. In other words, those in greatest need in old age will probably not benefit by pension plans.

Just as discouraging are the findings of the Senate Labor Subcommittee. The following information which the subcommittee released in the last Congress clearly points out the fact that far too many pension plans are as evanescent as the pot of gold at the end of the rainbow. In examining 11 terminated pension plans which affected 22,000 persons, the subcommittee learned:

Most participants in the plans have no idea that benefits might or could be reduced or eliminated. They thought they were guaranteed. When the plans terminated, most of the participants found that they could not get any information about what pension rights they had remaining, or even if they had any rights at all.

In nearly every case, the employers shut down operations following a merger or acquisition, leaving many workers jobless.

Owing to the advanced age of many of the newly jobless, employment opportunities, and subsequent pension opportunities, were severely curtailed.

Further investigation by the subcommittee revealed that since 1950, only 4% of the nearly seven million people covered under 51 pension plans had received any kind of retirement benefits.

Another analysis of 36 plans covering nearly three million workers, showed that, since 1950, only 8% of the people under the plans had received any benefits. These figures indicate an extremely high rate of forfeiture.

It is obvious that pension plans are not subject to thorough regulation by the Government. Administrators need only to report yearly on the structure and operation of their funds. There is no requirement for plans to be audited or insured against loss. Workers' rights to litigate are virtually nonexistent.

The argument for pension regulation was excellently illustrated by a Labor Department official:

In all too many cases, the pension promise shrinks to this—If you remain in good health and stay with the same company until you are 65 years old, and if the company is still in business, and if your department has not been abolished, and if you have not been laid off for too long a period, and if there is enough money in the fund, and if that money had been prudently managed, you will get a pension.

In the last Congress, I introduced a bill to strengthen and improve the protection of participants in and beneficiaries of employee welfare and pension benefit plans under the Welfare and Pension Plans Disclosure Act. The bill had provisions regarding the duty of disclosure and reporting, and fiduciary responsibility.

I also introduced legislation which would permit an individual to set aside certain amounts of his income for his own personal retirement account, and receive a corresponding tax deduction. Individuals would be able to provide, for the first time, for their retirement where their employer or their union does not already do so, or in instances where the individuals wish to provide additional retirement benefits because the plan under which they are covered does not provide sufficient benefits.

Finally, I sponsored a comprehensive bill on pension plans which is similar to the Javits proposal which has received so much attention. If enacted, my proposal will establish a reasonable and fair basis for making pension credits nonforfeitable. Under it, pension credits will vest at 10 percent a year starting with the sixth year of service. Thus, after an individual has worked 15 years, he will be entitled to a 100-percent vested right in the benefits he accumulated over that period of time. If he decides to leave the company, or if his employment is terminated, the employee will be entitled to some form of pension benefit when he reaches the retirement age specified in the particular plan under which he was covered. For example, if a worker remained with an employer for only 9 years, he will still have a 40-percent vested right in the pension credits earned over those 9 years.

My bill also directs that a portability study be undertaken. Portability is the system whereby a worker can accumulate pension credits from job to job, and eventually combine them into qualification for one single pension.

The proponents of portability stress its need in a mobile society. As one advocate explained:

The possibility of small, perhaps minuscule benefits, the incompatibility of benefit provisions, disproportionately high administrative costs, attrition of fixed benefits by inflation, withdrawal of contributions, their lack of utility for the disabled, and the non-participation of vested deferred benefits in plan improvements, all argue for the desirability of collecting the bits and pieces of employees' vested pension credits into one more adequate benefit, a benefit based upon contributions which have earnings and growth up to the date of retirement.

The opponents of portability base their argument primarily upon the complexities of establishing such a system. For example, how will the credits from plan to plan be transferred? How will their ultimate value be determined?

The extensive hearings conducted by the Senate Labor and Public Welfare Committee concluded that it is the right of an employee to carry his pension credits with him; but this is too complex an area, requiring exhaustive consideration, to attempt any solutions at this point. Because I agree with the committee's recommendations, my bill directs that a portability study be undertaken.

I also recognize the problem of funding. Through the input of contributions, funding must catch up with accrued pension liabilities within a specified period of time. My bill will require funding of liabilities over 40 years for plans in existence, and 30 years for those plans created after enactment.

A classic example of the need for adequate funding requirements was that of the Studebaker Corporation plan which began in 1950 and which came to an abrupt halt in 1964, when the company stopped manufacturing automobiles in the United States. It was a liberal plan—vesting at age 40, after 10 years of service. Of the 11,000 persons covered, 3,600 were already receiving pensions or were eligible to do so. An additional 4,500—with average service of 23 years—had vested rights. When the plan terminated and the available money was distributed, there was not enough money to meet the company's liabilities. Only the 3,600 individuals eligible or already receiving pensions received their full share. The 4,500 vested employees, including some nearly 60 years of age, received an average of \$600 a piece—approximately 15 percent of the value of their rights. And the remaining 2,900 employees received absolutely nothing.

Mr. Speaker, the 92d Congress is now history. Theoretically, we are now off to a new start. However, since the last Congress did not enact any of my bills—bills which would have come to grips with the serious problems facing far too many Americans regarding pension plans—I am today reintroducing each of these pieces of legislation, with the hope and expectation that more favorable action

will be taken in the immediate future. 1973 must usher in an era of pension reform.

CLOSED TRIALS

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Ms. ABZUG. Mr. Speaker, last June, the Committee on Civil Rights of the Association of the Bar of the City of New York adopted a report dealing with the relationship of the constitutional rights of public trial and free press. The report has been published in the November 1972 issue of *The Record*, the association's official publication, and I include its text at the conclusion of my remarks.

The question of closed trials has recently received much public notice due to the closing of several trials of "political" or "underworld" defendants. Much has been made of a supposed conflict between the sixth amendment guarantee of a public, impartial trial and the first amendment guarantee of freedom of the press. This excellent report considers the possibilities for such conflict, discusses alternatives to physically barring newsmen from attending and reporting on a trial, concludes that an actual conflict will rarely, if ever occur, and closes by suggesting that—

We cannot foresee any combination of circumstances which would justify either closing a criminal trial or placing involuntary publication restrictions upon the press.

The full text of the report follows:

[From *The Record of the Association of the Bar of the City of New York*, November 1972]

CLOSED TRIALS

(By the Committee on Civil Rights)

The question of whether a criminal trial¹ may be closed to the press and/or the public has recently received considerable attention due to the closing of the trial in *People v. Persico*.² Indeed, the dramatic closing of this trial almost immediately prompted (at least until the closing was severely criticized by the New York Court of Appeals) the closing of other trials across the state.

The question of closed trials is but one aspect of a larger issue—the right of a defendant to an impartial trial versus the right of the press to publish (and the public to know) information about a case. The increased public interest in a growing crime rate, together with the expansion and proliferation of the news media, has tended to underscore this issue and dramatize the need of our courts to come to grips with it.³

Whenever an individual is charged with a crime which receives substantial news coverage, there arises the potential for collision between the right to an impartial trial, guaranteed by the Sixth Amendment to the Constitution,⁴ and the right to a free press, guaranteed by the First Amendment.⁵ While some limitations upon the press have been required, permitted, or cited approvingly in order to protect the right to an impartial trial,⁶ we can find neither precedent nor justification for so sweeping a curtailment of so basic a constitutional right as is inherent in closing a trial or placing publication restrictions upon the press.

Footnotes at end of article.

THE PERSICO CASE

The trial of Carmine Persico on charges on conspiracy and extortion began in Supreme Court, New York County, on November 8, 1971. Shortly after the trial began, the *New York Times*, *New York Post*, and *New York Daily News*, New York City's three major newspapers, published articles discussing the defendant's criminal record, alleging that he was connected with organized crime and noting that his nickname was "Carmine the Snake." The next day, claiming that these news items would prejudice his client's right to an impartial trial, defense counsel moved for a mistrial. The trial judge denied the motion after polling the jury and determining that no juror had been exposed to the articles; at the same time, however, he stated that he considered the articles unfair and intimated that contempt charges might be visited upon any journalist who published information about the case other than what occurred in the courtroom.

Immediately thereafter, all three newspapers published stories and/or editorials about the judge's warning. These items also recapitulated the content of the prior articles which had precipitated the warning. On November 15th, the next court day, the defendant again moved for a mistrial: alternatively, he asked for the closing of the trial to the public and the press, expressly waiving "his First Amendment rights to a public trial in order to insure his Sixth Amendment's [sic] right to a fair trial." The court considered the second application first and, over the objection of the government, granted it "in toto."⁸

A group of journalists instituted a proceeding under Article 78 of the New York Civil Practice Law and Rules in the Appellate Division, First Department, of the Supreme Court, seeking a judgment directing the trial judge to reopen the proceedings.⁹ The Appellate Division, relying primarily upon the 1954 decision of the Court of Appeals in *Matter of United Press Assns. v. Valente*,¹⁰ dismissed the petition on the ground that the right to a public trial does not belong to either the public or the press, but to the defendant.¹¹ In a lengthy dissent, Justice Murphy argued that the right to a public trial did not belong only to the defendant, but instead required "the state in a criminal trial to conduct the trial in a forum open to any member of the public who wishes to attend."¹² He further stated that a trial might be closed only where "strict and inescapable necessity"¹³ so required, that this test had not been met in the case at bar, and that the action of the trial judge constituted a needless and unconstitutional limitation upon freedom of the press.

Before the appeal of the Article 78 case was heard by the Court of Appeals,¹⁴ the Persico trial itself ended in a verdict of acquittal on all counts.¹⁵ The Court of Appeals nevertheless considered the journalists' appeal on its merits and decided that the action of the trial judge in closing the trial had been in error.¹⁶

The court failed to reach the Sixth Amendment issue, finding instead that the action of the judge had been designed to punish the press rather than to protect the defendant, and that there had been no showing that the closing would, or was necessary to protect the defendant's right to an impartial trial. The decision distinguished *United Press Assns.* on the ground that the action of the Persico trial judge had been directed at the news media and designed to punish and chill their right to freedom of the press, whereas this had not been the case in the earlier decision.¹⁷

The decision did not foreclose the possibility that a future trial could be closed, but it

did state that if such an action could ever be justified, only a showing that "it was necessary to meet 'a serious and imminent threat' to the integrity of the trial" would support it. The court stated that the standard for closing a trial altogether (if this could ever be done) was "similar to that required to sustain a contempt order," thus implying that if circumstances surrounding a trial were such as to justify closing it, they would also justify placing strictures upon the right of journalists to publish information on it and render them subject to contempt charges if they violated such limitations. The decision recognized the need to protect the right of the defendant to a fair trial, but stated that this can be accomplished "in most instances" by warning jurors to avoid exposure to publicity about the trial and by instructing them to ignore it if it did come to their attention, and that "in extreme situations," sequestration of the jury might be necessary.¹⁸

ALTERNATIVES TO CLOSED TRIALS

The benefits of public trials flow to the public as well as to the defendant. The fact that our courtrooms are open to any person who wishes to observe the proceedings therein is an important source of public confidence in the legal system. Constant and untrammelled scrutiny of the judicial process by the public and the press helps to assure fair and diligent administration of that process, and to assure correction of it should that be in order. Not only does a public trial tend to protect the defendant from the evils of "star chamber" proceedings, but also to protect the citizenry from any possibility of collusion between a defendant and an unscrupulous prosecutor or judge. In addition witnesses will be less inclined to lie if their testimony is open to public view and thus subject to possible contradiction, and previously unknown witnesses may be prompted to come forward as the result of the publicity attendant upon a case. The public has a valuable stake in the open courtroom, and the defendant cannot be the sole judge of when that courtroom shall be closed to the public view.

Moreover, there are many substantial and effective remedies, short of closing a trial, which can be employed to give full and adequate protection of the Sixth Amendment rights of the defendant without interfering with the First Amendment rights of the press and the public. The use of one or more of these less severe devices should fully protect the defendant without in any way threatening freedom of the press.

Among those remedies are:

Strict limitation of the extra-judicial remarks of lawyers—prosecution as well as defense—witnesses, parties, and court attendants.

Delay or change of venue where pre-trial publicity has been prejudicial.

Careful scrutiny and control of the jury, by voir dire and judicial admonition. Jurors should be instructed to disregard any prejudicial extra-judicial material which does come to their attention and, if the court entertains any doubt as to the continued impartiality of one or more jurors, it should declare a mistrial.

Jury sequestration to protect jurors from exposure to harmful extra-judicial material. We agree with the suggestion of the Court of Appeals¹⁹ that this action be taken only in extreme circumstances, for, as Justice Kupferman noted in the Appellate Division opinion, sequestration means that members of a jury (plus alternates) [citation omitted] who are performing a public service, many times against their will but in the exercise of their citizenship [citation omitted], will be taken from family and friends for possibly long periods of time at considerable cost and inconvenience. * * * Getting people to serve on juries is not an easy task.²⁰

However, sequestration, where necessary, is preferable to the curtailment of freedom of the press.

Agreement by the press to observe "voluntary restraints" in their coverage of the crime and trial. Such agreements have been entered into in a number of areas, among them Oregon, Kentucky, Massachusetts, and Toledo, Ohio.²¹ The Massachusetts agreement, which was made in 1963, states that "to preserve the individual's rights to a fair trial, news stories of crime should contain only a factual statement of the arrest and attending circumstances,"²² and goes on to list the following as behavior to be avoided by the news media: (1) publication of interviews with subpoenaed witnesses after an indictment is returned; (2) publication of the criminal record or other questionable acts of the defendant after the indictment is returned (unless testified to in court); (3) publication of confessions or purported confessions after an indictment is returned unless admitted into evidence; (4) publication of testimony ordered stricken (unless it is identified as having been ordered stricken); (5) editorial comment before or during a trial which would tend to influence judge or jury; (6) publication of names of juveniles without the consent of the court; and (7) publication of any statements or suggestions originating with police or counsel as to the guilt or innocence of the defendant.

As was noted earlier, there have been three significant proposals made in recent years to try to resolve this conflict between the rights of the defendant and the rights of, and public necessity for a free and unhindered press. These proposals were embodied in the Reardon Report, the Medina Report, and the Kaufman Report.

The Reardon Report, which was adopted by the House of Delegates of the American Bar Association in early 1968, recommended that pretrial hearings be closed on the motion of the defendant upon a showing that material will be disclosed in such hearings which will be inadmissible at trial, and which should therefore not be published to a community which includes the potential members of the jury. In addition, it recommended the use of the contempt power against any individual who publishes an extra-judicial statement going beyond the public record with willful intent to affect the outcome of the trial (if the statement seriously threatens to have such effect) and against any individual who violates a judicial order prohibiting the disclosure of information adduced in a closed pretrial hearing.

The Medina Report, which was published by this Association in 1967, took the view that neither the legislatures nor the courts could limit freedom of the press with regard to criminal trials and stressed the need for the Fourth Estate to put its "house in order" by adopting voluntary codes to assure that the impartiality of trials will be protected.

The Kaufman Report, which was submitted to the Judicial Conference of the United States in February 1968, made no recommendations "at this time" with reference to either restraints upon freedom of the press or exclusion of journalists from pretrial hearings and other proceedings held outside the presence of the jury.

CONCLUSION

The Sixth Amendment right to an impartial trial and the First Amendment right to freedom of the press will rarely come into conflict. Even when a potential conflict impends, we cannot conceive of an instance in which the judicious application of the alternatives and voluntary guidelines discussed above would not provide adequate protection of the Sixth Amendment right of the defendant to an impartial trial, and we cannot foresee any combination of circumstances which would justify either closing a criminal

Footnotes at end of article.

trial or placing involuntary publication restrictions upon the press."

June 12, 1972.

Respectfully submitted.

THE COMMITTEE ON CIVIL RIGHTS

Robert M. Kaufman, Chairman; Charles P. Bergoffen, Eastman Birkett, Raymond S. Calamaro, Michael Cardozo, Porter Chandler, Jack David, John R. Fernbach, Stephen J. Frideman, Simen Golar, Murray A. Gordon, William S. Greenawalt, Eric L. Hirschborn, John J. Kirby, Jr., Alfred J. Law, Marla L. Marcus, Alan U. Schwartz, Donald S. Shack, Donald J. Sullivan, Susan F. Telch, Paul L. Tractenberg, and Milton L. Williams.

FOOTNOTES

¹ This report is addressed solely to criminal proceedings against adults, and is not concerned with juvenile proceedings.

² *New York Times*, November 16, 1971, p. 1, col. 5.

³ See, e.g., *Sheppard v. Maxwell*, 384 U.S. 333 (1966); *Estes v. Texas*, 381 U.S. 532 (1965); "Standards Relating to Fair Trial and Free Press," Advisory Committee on Fair Trial and Free Press of the American Bar Association Project on Minimum Standards for Criminal Justice (1968) (hereinafter, "Reardon Report"); *Freedom of the Press and Fair Trial*, Special Committee on Radio, Television, and the Administration of Justice of the Association of the Bar of the City of New York (1967) hereinafter, "Medina Report"; *Report to the Judicial Conference of the United States by the Committee on Operation of the Jury System on the "Free Press-Fair Trial" Issue* (1968) (hereinafter, "Kaufman Report").

⁴ In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defense."

⁵ "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

⁶ *Estes v. Texas*, *supra* (no constitutional right to televise courtroom proceedings); *Sheppard v. Maxwell*, *supra* (number and location of reporters in the courtroom may be limited) (dictum).

⁷ *New York Times*, November 16, 1971, p. 48, col. 3.

⁸ *Ibid.*, col. 6.

⁹ A similar suit was brought in the United States District Court for the Southern District of New York, but it was dismissed as moot subsequent to Persico's acquittal and has not been the subject of any further proceedings as of this writing.

¹⁰ 308 N.Y. 71 (1954). This case, which was also an Article 78 proceeding against a trial judge, arose out of the trial in *People v. Jelke*, 308 N.Y. 56 (1954), a criminal case involving compulsory prostitution charges against the son of a prominent family. In that instance, the trial judge closed the courtroom over the objection of the defendant in the interest of (1965); "Standards Relating to Fair Trial and * * * the interests of good morals."

In the direct appeal of the criminal case, the Court of Appeals held that the defendant's Sixth Amendment right to a public trial had been violated. The Court of Appeals decided the appeal of the Article 78 proceeding on the same day, ruled that it was moot, and went on to state that "petitions [journalists] are seeking to convert

what is essentially the right of the particular accused into a privilege for every citizen, a privilege which the latter may invoke independently of, and even in hostility to, the rights of the accused. A moment's reflection is enough, we suggest, to demonstrate that that cannot be, for it would deprive an accused of all power to waive his right to a public trial and thereby prevent him from taking a course which he may believe best for his own interests." 308 N.Y., at 81.

¹¹ *Matter of Oliver v. Postel*, 37 A.D.2d 498 (1st Dept., 1971).

¹² 37 A.D.2d, at 504.

¹³ 37 A.D.2d, at 505.

¹⁴ Argument took place on January 3, 1972, and the decision of the Court of Appeals was handed down on March 22, 1972.

¹⁵ *New York Times*, December 8, 1971, p. 57.

¹⁶ *Matter of Oliver v. Postel*, 30 N.Y.2d 171 (1972).

¹⁷ 30 N.Y.2d, at 179.

¹⁸ 30 N.Y.2d, at 182-183.

¹⁹ *Ibid.*

²⁰ 37 A.D.2d, at 501.

²¹ "Prosecution and the Press," by Vincent Doyle and Hoyt Gimlin, 2 Editorial Research Reports 481, 496 (1967).

²² *Hearings on Free Press and Fair Trial Before the Subcommittee on Constitutional Rights and the Subcommittee on Improvements in Judicial Machinery of the Senate Committee on the Judiciary*, 89th Cong., 1st Sess., p. 2, at 532-535 (1965).

²³ This conclusion is not meant to question the right of the court to limit journalistic activity within the courtroom to the extent reasonably necessary to preserve decorum. *Estes v. Texas*, *supra*.

HONORABLE EGIDIO ORTONA AMBASSADOR OF ITALY

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Mr. ANNUNZIO. Mr. Speaker, I would like to call the attention of my colleagues to an article written by Dorothy McCardle in the Sunday, January 7, Washington Post about the distinguished Ambassador of Italy, Honorable Egidio Ortona.

I have had the occasion, during the last 8 years as a Member of Congress, to observe his work, and he has been a steadfast champion for America and for his own country, Italy. He has fought vigorously to cement the great friendship that exists between the United States and Italy. He is a gentleman, a scholar, and an accomplished musician, as well as a truly outstanding diplomat.

The article follows:

EGIDIO ORTONA: WILD DOGS AND DIPLOMATS

(By Dorothy McCardle)

It has been said that diplomacy is the fine art of taking the wild dog syndrome out of international relations; of taming the warlike impulses between nations.

Italian Ambassador Egidio Ortona, who at 62 has spent 23 of his 41-year diplomatic career in the United States, knows first-hand about the wild dog syndrome both literally and figuratively.

As one of Washington's most athletic ambassadors, he starts his day on horseback in Rock Creek Park where every morning a dozen homeless dogs snap at the hoofs of his mount.

Ortona's riding companion, Edward Weintal, a prominent newspaperman and former

Polish diplomat, wryly reports that the ambassador has had better luck with crime in the streets than with the wild dogs of Rock Creek Park.

"Those dogs snap, lunge and bark ferociously at us every morning until we out-gallop them," says Weintal, adding that complaints to the police have been futile. "They insist they can't do a thing because the D.C. Humane Society won't permit them to shoot the dogs with tranquilizing guns."

On the side of wild dog diplomacy, Egidio Ortona came to Washington the first time in October, 1944, when World War II was still raging with ferocity, although Italy had surrendered in 1943. Assigned to an economic mission seeking assistance in rebuilding Italy after the war, Ortona also was negotiating a return of prisoners. He had intended to stay two months but remained eight years.

He won over hard-boiled State Department negotiators almost immediately.

"He is a professional," says one of the top career men at State. "We rate him right beside the ambassador of the Soviet Union, Dobrynin, who has been the top professional here for 10 years."

"He came here when relations between the United States and Italy were deeply strained. He has remained to cement the friendship between the two countries and to win untold personal friends for himself as well as Italy."

A small, wiry man, gray-haired and volatile with a gift for rapid Italian-accented English, Ortona is one of the best-known figures on Washington's social front. Observers say that he and his tall, silver-haired wife, Guilia, probably give and go to more parties than any other diplomatic couple in town.

They are special favorites of Washington charities and are often asked to be benefit patrons as they were for the Washington Performing Arts Society's recent "Salute to Italy" fund-raiser concert at Kennedy Center.

But when the Ortonas leave Washington to return to Rome, they may be best remembered by some for Ambassador Ortona's single-handed confrontation with crime here and the aftermath of that encounter.

In April, 1969, while Ortona was walking in Meridian Hill Park near his embassy, two men, their hands stuffed in their pockets as if holding guns, stopped him and demanded money.

Instead of running or reaching for his wallet, the slim, nimble diplomat began to shout in his heavily-accented English at the men who turned and fled.

The State Department called to congratulate him immediately. Privately, however, word got back to Ortona that the State Department felt he had been "brave but foolhardy."

Two days later at Rock Creek Stables where Ortona was preparing for his morning canter, a call came through from the White House.

This time it was President Nixon ready with praise and a promise. He assured Ortona that new measures of protection would be taken immediately to provide greater security for all diplomatic missions and personnel in Washington.

Sometime later, Ambassador Ortona was summoned to the White House. He and the dean of the diplomatic corps, Nicaragua's Ambassador Guillermo Sevilla-Sacasa were the only two foreign diplomats present when the President signed the bill creating the Executive Protective Service.

"I don't know how much credit I deserve for these measures," Ortona says with modesty. "But I do know that the new service has been highly successful. There have been very, very few incidents since it was created. Before that, there was some kind of incident at least once a week."

Washington's music lovers and musicians

hold Ortona in high regard for his contributions in that field.

He plays the piano though he says that it's debatable just how well. When he arrived in Washington five years ago as Italy's ambassador, the press described him as "a musician." Soon he was called "a pianist." Finally, he learned through the press that "I am a concert pianist."

In his delightfully inverted English, he sums up his talents this way:

"I just know to play badly the piano."

But former Supreme Court Justice Abe Fortas, who often fiddles to Ortona's piano accompaniment at Sunday night get-togethers in the Fortas home or at the Italian embassy, disputes such modesty.

"He's a true lover of music, an absolutely irresistible man—musicians both here and in New York owe him a great deal. In fact," says Fortas, "music in this country owes an enormous debt to Ortona."

Fortas says that Ortona, "more than any other ambassador in Washington, has consistently held musical evenings at the embassy. Sometimes he plays, and he plays well. Sometimes he invites American or Italian musicians to play. He has encouraged young musicians in New York as well as in Washington."

He also has seen to it that his country showed its appreciation to musicians by conferring decorations upon such distinguished ones as pianist Artur Schnabel and Eugene Ormandy, conductor of the Philadelphia Orchestra.

Ortona's next public musical appearance will be Jan. 31 when he and his favorite companion at a double keyboard, former Assistant Secretary of Defense Robert LeBaron, sit down at the embassy's baby grand pianos to entertain for Peggy LeBaron's International Neighbors Club.

His love of music has sometime been a challenge to hosts who don't happen to have a piano.

Former U.S. Ambassador to Luxembourg and the U.S. Chief of Protocol during the Eisenhower administration, Wiley T. Buchanan Jr., whom Ortona visits every summer at Newport, found the ambassador disappearing every day.

"We had no piano," says Buchanan, "so he went around to homes of our friends who did. There he would be lost at the keyboard for two hours at a time."

The Buchanans ordered a piano so that the Italian diplomat could find all the musical comforts he missed right inside their front door.

(The Buchanans' grandchildren, somewhat confused by the ambassador's informal attire, once mistook him for a new chauffeur.

Ortona, playing along, escorted the children to his Fiat, drove them all around Newport and made every stop demanded. "He thought this a huge joke," says Buchanan.)

As the father of two grown daughters and a son and the grandfather of three, Ortona dotes on children.

"When my first grandchild was born, I started the best career of my life," he says.

When his diplomatic career ends in three years (Italy's foreign service has mandatory retirement at age 65), Ambassador Ortona will have the satisfaction of knowing that he was the guiding light behind the proposed new Italian embassy-chancery complex, to be built on a five-acre, \$1 million tract at the corner of Massachusetts Avenue and Whitehaven Street, NW.

American architects will supply the technical expertise but Italian architects will draw up plans that will include incorporation of all works of fine art now in the present embassy at 16th and Fuller Streets, NW.

Ortona is completing negotiations now and will go to Rome next week to confer with architects.

Egidio Ortona was born on Sept. 16, 1910, in the small Piedmont hill country town of Casale Monferrato in northern Italy.

His father was a cavalry officer in the Italian army and close friend of Caprioli, inventor of "the forward seat," a modern method of riding horseback. Predictably, young Egidio took to the saddle very young.

His musical education began at age 8 and despite the seemingly interminable drilling to learn his scales, he developed a crush on his music teacher.

At age 16, when he was a student at the local lyceum, he met tall, voluble Giulia Rossi. He was two years ahead of her in school and so far ahead of her in music that she finally gave up playing herself.

"He was just too good for me," says Giulia Rossi Ortona. "It's uncanny how he can read any piece of music at sight."

Music, tennis and dancing, which both enjoyed, created a strong community of interest and in 1935 they were married.

But before that, during the nine-year interval between their first meeting and their marriage, Egidio Ortona packed considerable education into his young life.

He spent a year at the University of Pavia, another year at the London School of Economics and finally got his law degree at the University of Torino (Turin) in 1931. He never practiced law but, instead, entered the Italian foreign service. He was just 21.

At the bottom of the diplomatic career ladder, he started his climb by serving in posts at Cairo, Johannesburg, London and finally Washington.

The handsome Italian Embassy, built years before to resemble an elegant palazzo, was closed during war years. So he worked at the Shoreham Hotel.

"The American government had decided to have an Italian mission come to Washington to discuss postwar economics and rebuilding after the war's destruction," he says. "I and four other members of the mission were engaged in problems of economic assistance for Italy."

The longer Ortona stayed in Washington, the more reasons he found to remain. The work was fascinating and challenging—"It was a most interesting thing to try to enhance relations between the United States and Italy. The results of the Marshall Plan in Italy between 1948 and 1952 were so good."

Ortona became a secretary, then counselor, then minister counselor and finally minister of the reopened Italian embassy. His economic skills were so valued by his government that he often represented Italy at such conferences as the International Monetary Fund and the International Bank for Reconstruction and Development.

In 1958, he was assigned to the United Nations in New York as Italy's ambassador. He stayed in that post until 1961 when he was called home for a prime spot in the foreign ministry as director general of economic affairs.

He held that post until 1966 when he was made secretary general of the Foreign Ministry, the top career spot equal to U.S. Under Secretary of State.

In 1967 he was assigned to Washington, again, this time as ambassador plenipotentiary and extraordinary.

While he has logged up an impressive reputation as a skilled and serious diplomat, he and his wife have made an equally dramatic impact on the social front in Washington. In fact, their social calendar is so packed that Mrs. Ortona said rather helplessly the other day that "there is simply no time to sleep."

Ambassador Ortona does not think in terms of missed sleep. In addition to his diplomatic duties and his music, horseback riding and vigorous daily swim at the University Club he has plans for still another activity.

"If circumstances permit," he says, "I may try flying. I am always trying to do everything I can."

"Oh, no!" says his wife who had not heard of his interest in flying. "I hate flying. It makes me sick."

Chances are that Giulia Ortona, who has never been able to talk her husband out of anything he wants to do, will go right along with this latest idea, just as she has done for nearly four decades.

SENATE—Thursday, January 11, 1973

The Senate met at 12 o'clock meridian and was called to order by Hon. WILLIAM D. HATHAWAY, a Senator from the State of Maine.

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Almighty God, Creator, Preserver, Redeemer and Judge, cleanse us of all that obstructs knowing and doing Thy will. Give us clean hands and pure hearts which fit us for service to Thee and to all people. Equip all who serve here with a full measure of grace and strength and with a wisdom beyond our own. Make us ministers of a righteous government and servants of the common good. And when the day is done, give us the rest of

those whose hearts are at peace with Thee and their fellow man.

We pray in the Redeemer's name. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. EASTLAND).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., January 11, 1973.
To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. WILLIAM D. HATHAWAY, a Senator from the State of

Maine, to perform the duties of the Chair during my absence.

JAMES O. EASTLAND,
President pro tempore.

Mr. HATHAWAY thereupon took the chair as Acting President pro tempore.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Marks, one of his secretaries.

PROPOSED EXTENSION OF ECONOMIC STABILIZATION ACT—MESSAGE FROM THE PRESIDENT

The ACTING PRESIDENT pro tempore (Mr. HATHAWAY) laid before the